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Third Committee
Agenda item 72 (c)
Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, Poland, Portugal, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

Situation of human rights in Myanmar

The General Assembly,

Guided by the Charter of the United Nations and the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights[2] and other relevant human rights instruments, and recalling its previous resolutions on the situation of human rights in Myanmar, the most recent of which is resolution 69/248 of 29 December 2014, those of the Commission on Human Rights and those of the Human Rights Council, the most recent of which are resolutions 28/23 of 28 March 2015[3] and 29/21 of 3 July 2015,[4]

Welcoming the report of the Secretary-General on the situation of human rights in Myanmar[5] and the facilitation by the Government of Myanmar of the visits of his Special Adviser to the country from 15 to 20 January 2015, 24 to 26 February 2015, 17 to 22 March 2015, 22 May to 6 June 2015, on 6 and 7 August 2015 and from 12 to 16 October 2015,

[1] Resolution 217 A (III).
[2] Resolution 2200 A (XXI), annex.
[3] See *Official Records of the General Assembly, Seventieth Session, Supplement No. 53* (A/70/53), chap. III, sect. A.
[4] Ibid, chap. V. sect. A.
[5] A/70/332 and Corr.1.

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Welcoming also the report of the Special Rapporteur of the Human Rights Council on the situation of human rights in Myanmar[6] and the access granted to her during her visits to Myanmar from 15 to 20 January 2015, 24 to 26 February 2015, 17 to 22 March 2015, 22 May to 6 June 2015 and on 6 and 7 August 2015,

1. *Welcomes* the continued positive developments in Myanmar towards political and economic reform, democratization and national reconciliation, good governance and the rule of law and the efforts to promote and protect human rights, recognizes the scale of the reform effort undertaken to date, and encourages the Government of Myanmar to take further steps to consolidate the progress made and address outstanding concerns;

2. *Also welcomes* the continued engagement of the Government of Myanmar with political actors within the parliament and opposition parties, as well as with civil society, ahead of the elections to be held on 8 November 2015, also welcomes the invitation from the Government and the Election Commission to international and local observers to observe the elections, and encourages every effort by the Government and the Election Commission to facilitate the effective observation of all stages of the election process and unhindered access for observers and the media;

3. *Urges* the authorities to ensure that the elections are credible, inclusive and transparent, that all the people of Myanmar, including persons belonging to minority groups, are able to cast their vote and fully participate in the electoral process on an informed basis, and expresses concern over the political disenfranchisement and discriminatory disqualification of candidates, including with respect to members of the Rohingya community;

4. *Stresses* that the right to freedom of thought, conscience and religion or belief applies equally to all persons, regardless of their religion or belief and without any discrimination as to their equal protection under the law;

5. *Calls* on all actors to sustain the democratic transition of Myanmar by bringing all national institutions, including the military, under a democratically elected, fully representative civilian government;

6. *Welcomes* the steps taken to strengthen good governance and the rule of law, and calls upon the Government of Myanmar to continue such efforts, especially through continued constitutional, legislative, judicial and institutional reform, and recalls the importance of ensuring, including through the revision of laws, that existing and new legislation is fully compatible with democratic principles and human rights obligations and commitments, including, as part of those obligations, the right to freedom of religion or belief, the human rights of women and children and the rights of persons belonging to minorities;

7. *Recalls* the handling of certain demonstrations, and encourages the Government of Myanmar to fulfil its human rights obligations and commitments to protect the right to freedom of expression, association and peaceful assembly, to create and maintain a safe and enabling environment for civil society and independent media and to take appropriate steps to ensure the safety and security of journalists, civil society activists and human rights defenders and their freedom to pursue their activities;

[6] A/70/412.

8. *Welcomes* the recent release of some prisoners of conscience, while urging the Government of Myanmar to resume working with the political prisoner review committee and to fulfil its commitment to the unconditional release of all political prisoners, including those recently detained or convicted, and to provide for the full rehabilitation of former prisoners of conscience;

9. *Urges* the Government of Myanmar to step up its efforts to end remaining human rights violations and abuses, including arbitrary arrest and detention, forced displacement, rape and other forms of sexual violence, torture and cruel, inhuman and degrading treatment, arbitrary deprivation of property, including land, and violations of international humanitarian law in some parts of the country, and repeats its call upon the Government to take necessary measures to ensure accountability and end impunity;

10. *Welcomes* the signing of the nationwide ceasefire agreement by the Government of Myanmar with eight armed groups as a significant step and as progress towards initiating an inclusive and comprehensive national political dialogue with the objective of achieving lasting peace, encourages the Government and remaining non-signatory ethnic armed groups to continue discussions towards realizing the signing of the agreement, and urges all parties to end violence and to fully implement existing ceasefire agreements, including by protecting individuals against ongoing violations and abuses of human rights and violations of international humanitarian law, and by granting safe, timely, full and unhindered humanitarian access to all areas;

11. *Urges* the Government of Myanmar to intensify its efforts to address discrimination, human rights violations, displacement and economic deprivation affecting members of various ethnic and religious minorities and stateless populations, and to counter incitement to hatred and hate speech leading to violence, and expresses concern over the recent enactment of four laws relating to issues of race and religion and continuing concern over the 1982 Citizenship Law;

12. *Calls upon* the Government of Myanmar to uphold the rule of law and to further increase its efforts to promote tolerance and peaceful coexistence in all sectors of society by, inter alia, facilitating interfaith and intercommunal dialogue, and to issue identity documents that secure the legal status and rights of all former white-card holders in accordance with the Government's international commitments to respect human rights without discrimination of any kind;

13. *Reiterates its serious concern* about the situation of the Rohingya in Rakhine State and other minorities subject to marginalization and instances of human rights violations and abuses;

14. *Calls upon* the Government of Myanmar to protect the human rights and fundamental freedoms of all individuals, including persons belonging to the Rohingya minority, to allow for self-identification, to ensure equal access to full citizenship and related rights, including civil and political rights, for all stateless persons, freedom of movement, as well as the safe and voluntary return of internally displaced persons to their communities of origin, and rapid and unhindered access to humanitarian assistance without discrimination, to ensure equal access to services, particularly health and education, the right to marry and birth registration, and to undertake full, transparent and independent investigations into all reports of human rights violations and abuses to ensure accountability and bring about reconciliation;

15. *Underlines its strong concern* at the plight of migrants, including asylum seekers, and refugees in the Andaman Sea and Bay of Bengal and travelling along land routes, and welcoming the commitment by Governments in the region to provide temporary shelter and protection for refugees, encourages the continued efforts of the Government of Myanmar, in cooperation with other countries in the region, regional organizations and the international community, to save lives, to take appropriate measures to prevent and counter trafficking in persons and smuggling of all categories of migrants, while extending protections to trafficking victims and smuggled migrants, and to address root causes, such as discrimination, vulnerability to criminal profiteering and exploitation by criminal rings, violence and conflict, poverty and human rights violations and abuses;

16. *Welcomes* the recent signature by the Government of Myanmar of the International Covenant on Economic, Social and Cultural Rights[2] and the Optional Protocol to the Convention on Rights of the Child on the involvement of children in armed conflict,[7] and the Government's progress towards ending the recruitment and use of child soldiers, encourages consideration of the ratification of additional international human rights conventions, including the International Covenant on Civil and Political Rights[2] and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[8] also welcomes the engagement of the Government with the United Nations and regional organizations and other actors, and encourages the full implementation of relevant agreements and commitments, notably the 2012 action plan to end and prevent the recruitment and use of children by the armed forces and the commitment to end forced labour by 2015;

17. *Urges* the Government of Myanmar to facilitate the work of the Special Rapporteur of the Human Rights Council on the situation of human rights in Myanmar and to grant her unimpeded access to the whole country following the denial of access to Rakhine State during her last visit, and urges the Government to fulfil its commitment without further delay to establish a country office of the Office of the United Nations High Commissioner for Human Rights with a full mandate;

18. *Encourages* the international community to continue to support the Government of Myanmar in the fulfilment of its international human rights and international humanitarian law obligations and commitments, the implementation of its democratic transitional process, its economic and social development and its efforts towards achieving lasting peace;

19. *Calls upon* the Government of Myanmar to ensure full cooperation with all parties and to allow full access for humanitarian assistance to affected persons and communities, and in this regard urges the Government to implement the various cooperation agreements that have not yet been implemented made between the authorities of Myanmar and the international community for the distribution of humanitarian aid to all affected areas, including Rakhine State, without any discrimination;

20. *Requests* the Secretary-General:

(a) To continue to provide his good offices and to pursue his discussions on human rights, democracy and reconciliation in Myanmar, involving all relevant

[7] United Nations, *Treaty Series*, vol. 2173, No. 27531.
[8] Ibid., vol. 1465, No. 24841.

stakeholders, and to offer technical assistance to the Government of Myanmar in this regard;

(b) To give all assistance necessary to enable the Special Adviser to the Secretary-General on Myanmar and the Special Rapporteur of the Human Rights Council on the situation of human rights in Myanmar to discharge their mandates fully, effectively and in a coordinated manner;

(c) To report to the General Assembly at its seventy-first session, as well as to the Human Rights Council, on the progress made in the implementation of the present resolution;

21. *Decides* to remain seized of the matter on the basis of the reports of the Secretary-General and the Special Rapporteur.

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Seventieth session
Third Committee
Agenda item 72 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Egypt:* draft resolution

Combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief

The General Assembly,

Reaffirming the commitment made by all States under the Charter of the United Nations to promote and encourage universal respect for and observance of all human rights and fundamental freedoms without distinction as to, inter alia, religion or belief,

Reaffirming also the obligation of States to prohibit discrimination and violence on the basis of religion or belief and to implement measures to guarantee the equal and effective protection of the law,

Reaffirming further that all human rights are universal, indivisible, interdependent and interrelated,

Reaffirming that the International Covenant on Civil and Political Rights[1] provides, inter alia, that everyone shall have the right to freedom of thought, conscience and religion or belief, which shall include freedom to have or to adopt a religion or belief of one's choice and freedom, either alone or in community with others and in public or private, to manifest one's religion or belief in worship, observance, practice and teaching,

Reaffirming also the positive role that the exercise of the right to freedom of opinion and expression and full respect for the freedom to seek, receive and impart

* On behalf of the States Members of the United Nations that are members of the Organization of Islamic Cooperation.

[1] See resolution 2200 A (XXI), annex.

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information can play in strengthening democracy and combating religious intolerance, and reaffirming further that the exercise of the right to freedom of expression carries with it special duties and responsibilities, in accordance with article 19 of the International Covenant on Civil and Political Rights,

Expressing deep concern at those acts that advocate religious hatred and thereby undermine the spirit of tolerance,

Reaffirming that terrorism cannot and should not be associated with any religion, nationality, civilization or ethnic group,

Condemning the criminal acts committed by terrorist and extremist groups and movements against persons based on their religion or belief, and deeply regretting attempts to link these acts to any one specific religion or belief,

Reaffirming that violence can never be an acceptable response to acts of intolerance on the basis of religion or belief,

Welcoming Human Rights Council resolutions 16/18 of 24 March 2011,[2] 19/25 of 23 March 2012,[3] 22/31 of 22 March 2013[4] and 28/29 of 27 March 2015 and General Assembly resolutions 67/178 of 20 December 2012, 68/169 of 18 December 2013 and 69/174 of 18 December 2014,

Recalling the adoption of resolutions 69/140 of 15 December 2014 on the promotion of interreligious and intercultural dialogue, understanding and cooperation for peace and 69/312 of 6 July 2015 on the United Nations Alliance of Civilizations,

Deeply concerned about increasing incidents of intolerance, discrimination and violence against persons based on their religion or belief in all regions of the world,

Deploring any advocacy of discrimination or violence on the basis of religion or belief,

Strongly deploring all acts of violence against persons on the basis of their religion or belief, as well as any such acts directed against their homes, businesses, properties, schools, cultural centres or places of worship,

Strongly deploring also all attacks on and in religious places, sites and shrines in violation of international law, in particular human rights law and international humanitarian law, including any deliberate destruction of relics and monuments,

Deeply concerned about the prevalence of impunity in some instances, and the lack of accountability in some cases, in addressing violence against persons on the basis of religion or belief in public and private spheres, and stressing the importance of making necessary efforts to raise awareness to address the spread of hate speech against persons on the basis of religion or belief,

Concerned about actions that wilfully exploit tensions or target individuals on the basis of their religion or belief,

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[2] See *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 53* (A/66/53), chap. II, sect. A.

[3] Ibid., *Sixty-seventh Session, Supplement No. 53* and corrigendum (A/67/53 and Corr.1), chap. III, sect. A.

[4] Ibid., *Sixty-eighth Session, Supplement No. 53* (A/68/53), chap. IV, sect. A.

Expressing deep concern at the instances of intolerance, discrimination and acts of violence occurring in the world, including cases motivated by discrimination against persons belonging to religious minorities, in addition to the negative projection of the followers of religions and the enforcement of measures that specifically discriminate against persons on the basis of religion or belief,

Expressing concern at the growing manifestations of intolerance based on religion or belief, which can generate hatred and violence among individuals from and within different nations and which may have serious implications at the national, regional and international levels, and in this regard emphasizing the importance of respect for religious and cultural diversity, as well as interreligious, interfaith and intercultural dialogue aimed at promoting a culture of tolerance and respect among individuals, societies and nations,

Expressing its grave concern at the instances of deliberate stereotyping of religions, their adherents and sacred persons by the media and by political parties and groups in some societies, and at the associated provocation and political exploitation,

Recognizing the valuable contribution of people of all religions or beliefs to humanity and the contribution that dialogue among religious groups can make towards an improved awareness and understanding of the common values shared by all humankind,

Underlining the fact that States, regional organizations, non-governmental organizations, religious bodies and the media have an important role to play in promoting tolerance and respect for religious and cultural diversity and in the universal promotion and protection of human rights, including freedom of religion or belief,

Underlining also the importance of raising awareness about different cultures and religions or beliefs and of education in the promotion of tolerance, which involves the acceptance by the public of and its respect for religious and cultural diversity, including with regard to religious expression, and underlining further the fact that education, in particular at school, should contribute in a meaningful way to promoting tolerance and the elimination of discrimination based on religion or belief,

Recognizing that working together to enhance the implementation of existing legal regimes that protect individuals against discrimination and hate crimes, increasing interreligious, interfaith and intercultural efforts and expanding human rights education are important first steps in combating incidents of intolerance, discrimination and violence against individuals on the basis of religion or belief,

Recalling its resolution 68/127, entitled "A world against violence and violent extremism", adopted by consensus on 18 December 2013, welcoming the leading role of the United Nations Educational, Scientific and Cultural Organization in promoting intercultural dialogue, the work of the United Nations Alliance of Civilizations, the Anna Lindh Euro-Mediterranean Foundation for Dialogue between Cultures in Alexandria, Egypt, and the work of the King Abdullah Bin Abdulaziz International Centre for Interreligious and Intercultural Dialogue in Vienna, and recalling also its resolution 65/5 of 20 October 2010 on World Interfaith Harmony Week, proposed by King Abdullah II of Jordan,

Welcoming, in this regard, all international, regional and national initiatives aimed at promoting interreligious, intercultural and interfaith harmony and combating discrimination against individuals on the basis of religion or belief, including the draft declaration of the forum held in Fez, Morocco, on 23 and 24 April 2015 on the theme "The role of religious leaders in preventing incitement that could lead to atrocity crimes", an initiative of the Special Adviser of the Secretary-General for the Prevention of Genocide, the "Appeal for Peace 2015", launched at the twenty-eighth annual international, interreligious gathering of religious leaders from 60 countries on the theme "Peace is always possible: religions and cultures in dialogue", held in Tirana from 6 to 8 September 2015, and the Istanbul Process for Combating Intolerance, Discrimination and Incitement to Hatred and/or Violence on the Basis of Religion or Belief, and taking note of the initiative of the Office of the United Nations High Commissioner for Human Rights and its outcome document, the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence,[5]

Welcoming also the continuation of the organization of workshops and meetings within the framework of the Istanbul Process and the promotion of effective implementation of Human Rights Council resolution 16/18 to counter global violence, religious discrimination and intolerance, in particular the recent fifth implementation meeting of the Process, hosted by the General Secretariat of the Organization of Islamic Cooperation in Jeddah, Saudi Arabia, on 3 and 4 June 2015, and welcoming further the offer of Chile to host the next meeting in 2016,

1. *Takes note* of the report of the Secretary-General;[6]

2. *Expresses deep concern* at the continued serious instances of derogatory stereotyping, negative profiling and stigmatization of persons based on their religion or belief, as well as programmes and agendas pursued by extremist individuals, organizations and groups aimed at creating and perpetuating negative stereotypes about religious groups, in particular when condoned by Governments;

3. *Expresses concern* that the number of incidents of religious intolerance, discrimination and related violence, as well as of negative stereotyping of individuals on the basis of religion or belief, continues to rise around the world, which may have serious implications at the national, regional and international levels, condemns, in this context, any advocacy of religious hatred against individuals that constitutes incitement to discrimination, hostility or violence, and urges States to take effective measures, as set forth in the present resolution and consistent with their obligations under international human rights law, to address and combat such incidents;

4. *Emphasizes* that, as stipulated in international human rights law, everyone has the right to freedom of expression, and that the exercise of this right carries with it special duties and responsibilities and may therefore be subject to certain restrictions, but only those provided by law and necessary for the respect of the rights or reputations of others or for the protection of national security or of public order, public health or morals;

[5] A/HRC/22/17/Add.4, appendix.
[6] A/70/415.

5. *Condemns* any advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence, whether it involves the use of print, audiovisual or electronic media or any other means;

6. *Recognizes* that the open public debate of ideas, as well as interreligious, interfaith and intercultural dialogue, at the local, national and international levels, can be among the best protections against religious intolerance and can play a positive role in strengthening democracy and combating religious hatred, and expresses its conviction that a continuing dialogue on these issues can help to overcome existing misperceptions;

7. *Also recognizes* the strong need for global awareness about the possible serious implications of incitement to discrimination and violence, which may have serious implications at the national, regional and international levels, and urges all Member States to make renewed efforts to develop educational systems that promote all human rights and fundamental freedoms that enhance tolerance for religious and cultural diversity, which is fundamental to promoting tolerant, peaceful and harmonious multicultural societies;

8. *Calls upon* all States to take the following actions, as called for by the Secretary-General of the Organization of Islamic Cooperation, to foster a domestic environment of religious tolerance, peace and respect by:

(a) Encouraging the creation of collaborative networks to build mutual understanding, promoting dialogue and inspiring constructive action towards shared policy goals and the pursuit of tangible outcomes, such as servicing projects in the fields of education, health, conflict prevention, employment, integration and media education;

(b) Creating an appropriate mechanism within Governments to, inter alia, identify and address potential areas of tension between members of different religious communities and assisting with conflict prevention and mediation;

(c) Encouraging the training of government officials in effective outreach strategies;

(d) Encouraging the efforts of leaders to discuss within their communities the causes of discrimination and developing strategies to counter those causes;

(e) Speaking out against intolerance, including advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence;

(f) Adopting measures to criminalize incitement to imminent violence based on religion or belief;

(g) Understanding the need to combat denigration and the negative religious stereotyping of persons, as well as incitement to religious hatred, by strategizing and harmonizing actions at the local, national, regional and international levels through, inter alia, education and awareness-raising;

(h) Recognizing that the open, constructive and respectful debate of ideas, as well as interreligious, interfaith and intercultural dialogue, at the local, national, regional and international levels, can play a positive role in combating religious hatred, incitement and violence;

9. *Also calls upon* all States:

(a) To take effective measures to ensure that public functionaries, in the conduct of their public duties, do not discriminate against an individual on the basis of religion or belief;

(b) To foster religious freedom and pluralism by promoting the ability of members of all religious communities to manifest their religion and to contribute openly and on an equal footing to society;

(c) To encourage the representation and meaningful participation of individuals, irrespective of their religion or belief, in all sectors of society;

(d) To make a strong effort to counter religious profiling, which is understood to be the invidious use of religion as a criterion in conducting questioning, searches and other investigative law enforcement procedures;

(e) To take actions to prohibit the dissemination, including through political institutions and organizations, of racist and xenophobic ideas and material aimed at any religion or its followers that constitute incitement to racial and religious hatred, hostility or violence;

10. *Further calls upon* all States to adopt measures and policies to promote full respect for and protection of places of worship and religious sites, cemeteries and shrines and to take protective measures in cases where they are vulnerable to vandalism or destruction;

11. *Calls for* strengthened international efforts to foster a global dialogue for the promotion of a culture of tolerance and peace at all levels, based on respect for human rights and diversity of religions and beliefs;

12. *Encourages* all States to consider providing updates on efforts made in this regard as part of ongoing reporting to the Office of the United Nations High Commissioner for Human Rights, and in this respect requests the United Nations High Commissioner for Human Rights to include those updates in her reports to the Human Rights Council;

13. *Requests* the Secretary-General to submit to the General Assembly at its seventy-first session a report that includes information provided by the High Commissioner on steps taken by States to combat intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief, as set forth in the present resolution.

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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

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Freedom of religion or belief

The General Assembly,

Recalling its resolution 36/55 of 25 November 1981, by which it proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Recalling also article 18 of the International Covenant on Civil and Political Rights,[1] article 18 of the Universal Declaration of Human Rights[2] and other relevant human rights provisions,

Recalling further its previous resolutions on freedom of religion or belief and on the elimination of all forms of intolerance and of discrimination based on religion or belief, including resolution 69/175 of 18 December 2014, and Human Rights Council resolution 28/18 of 27 March 2015,[3]

Recognizing the important work carried out by the Human Rights Committee in providing guidance with respect to the scope of freedom of religion or belief,

[1] See resolution 2200 A (XXI), annex.

[2] Resolution 217 A (III).

[3] See *Official Records of the General Assembly, Seventieth Session, Supplement No. 53* (A/70/53), chap. III, sect. A.

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Noting the conclusions and recommendations of the expert workshops organized by the Office of the United Nations High Commissioner for Human Rights and contained in the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, adopted in Rabat on 5 October 2012,[4]

Considering that religion or belief, for those who profess either, is one of the fundamental elements in their conception of life and that freedom of religion or belief, as a universal human right, should be fully respected and guaranteed,

Seriously concerned at continuing acts of intolerance and violence based on religion or belief against individuals, including against persons belonging to religious communities and religious minorities around the world, and at the increasing number and intensity of such incidents, which are often of a criminal nature and may have international characteristics,

Deeply concerned at the limited progress that has been made in the elimination of all forms of intolerance and of discrimination based on religion or belief, and believing that further intensified efforts are therefore required to promote and protect the right to freedom of thought, conscience and religion or belief and to eliminate all forms of hatred, intolerance and discrimination based on religion or belief, as noted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 8 September 2001, as well as at the Durban Review Conference, held in Geneva from 20 to 24 April 2009,

Recalling that States have the primary responsibility to promote and protect human rights, including the human rights of persons belonging to religious minorities, including their right to exercise their religion or belief freely,

Concerned that official authorities sometimes tolerate or encourage acts of violence, or credible threats of violence, against persons belonging to religious communities and religious minorities,

Concerned also at the increasing number of laws and regulations that limit the freedom of thought, conscience and religion or belief and at the implementation of existing laws in a discriminatory manner,

Convinced of the need to urgently address the rapid rise in various parts of the world of religious extremism that affects the human rights of individuals, in particular persons belonging to religious communities and religious minorities, the situations of violence and discrimination that affect many individuals, particularly women and children, on the basis of or in the name of religion or belief or in accordance with cultural and traditional practices, and the misuse of religion or belief for ends inconsistent with the principles set out in the Charter of the United Nations and in other relevant instruments of the United Nations,

Seriously concerned about all attacks on religious places, sites and shrines that violate international law, in particular international human rights law and international humanitarian law, including any deliberate destruction of relics and monuments,

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[4] A/HRC/22/17/Add.4, appendix.

Emphasizing that States, regional organizations, non-governmental organizations, religious bodies, the media and civil society as a whole have an important role to play in promoting tolerance and respect for religious and cultural diversity and in the universal promotion and protection of human rights, including freedom of religion or belief,

Underlining the importance of education, including human rights education, in the promotion of tolerance, which involves the acceptance by the public of, and its respect for, diversity, including with regard to religious expression, and underlining also the fact that education, in particular at school, should contribute in a meaningful way to promoting tolerance and the elimination of discrimination based on religion or belief,

1. *Stresses* that everyone has the right to freedom of thought, conscience and religion or belief, which includes the freedom to have or not to have, or to adopt, a religion or belief of one's own choice and the freedom, either alone or in community with others and in public or private, to manifest one's religion or belief in teaching, practice, worship and observance, including the right to change one's religion or belief;

2. *Emphasizes* that the right to freedom of thought, conscience and religion or belief applies equally to all persons, regardless of their religion or belief and without any discrimination as to their equal protection by the law;

3. *Strongly condemns* violations of freedom of thought, conscience and religion or belief as well as all forms of intolerance, discrimination and violence based on religion or belief;

4. *Recognizes with deep concern* the continuing overall rise in instances of discrimination, intolerance and violence, including acts of extreme violence, regardless of the actors, directed against members of many religious and other communities in various parts of the world, including cases motivated by Islamophobia, anti-Semitism and Christianophobia and prejudices against persons of other religions or beliefs;

5. *Reaffirms* that terrorism cannot and should not be associated with any religion or belief as this may have adverse consequences on the enjoyment of the right to freedom of religion or belief of all members of the religious communities concerned;

6. *Strongly condemns* violence and acts of terrorism, which are increasing in number and intensity, targeting individuals, including persons belonging to religious minorities, on the basis of or in the name of religion or belief;

7. *Recalls* that States have an obligation to exercise due diligence to prevent, investigate and punish acts of violence against persons belonging to religious minorities, regardless of the perpetrator, and that failure to do so may constitute a human rights violation;

8. *Emphasizes* that freedom of religion or belief and freedom of expression are interdependent, interrelated and mutually reinforcing, and stresses the role that these rights can play in the fight against all forms of intolerance and of discrimination based on religion or belief;

9. *Strongly condemns* any advocacy of hatred based on religion or belief that constitutes incitement to discrimination, hostility or violence, whether it involves the use of print, audiovisual or electronic media or any other means;

10. *Expresses concern* at the persistence of institutionalized social intolerance and discrimination practised against many on the grounds of religion or belief, and emphasizes that legal procedures pertaining to religious or belief-based groups and places of worship are not a prerequisite for the exercise of the right to manifest one's religion or belief and that such procedures, when legally required at the national or local level, should be non-discriminatory in order to contribute to the effective protection of the right of all persons to practise their religion or belief, either individually or in community with others and in public or private;

11. *Recognizes with concern* the situation of persons in vulnerable situations, including persons deprived of their liberty, refugees, asylum seekers and internally displaced persons, children, persons belonging to national or ethnic, religious and linguistic minorities and migrants and those holding non-religious beliefs, as regards their ability to freely exercise their right to freedom of religion or belief;

12. *Emphasizes* that, as underlined by the Human Rights Committee, restrictions on the freedom to manifest one's religion or belief are permitted only if limitations are prescribed by law, are necessary to protect public safety, order, health or morals or the fundamental rights and freedoms of others, are non-discriminatory and are applied in a manner that does not vitiate the right to freedom of thought, conscience and religion or belief;

13. *Expresses deep concern* at continued obstacles to the enjoyment of the right to freedom of religion or belief as well as the increasing number of instances of intolerance, discrimination and violence based on religion or belief, including:

(a) Acts of violence and intolerance directed against individuals based on their religion or belief, including religious persons and persons belonging to religious minorities and other communities in various parts of the world;

(b) The rise of religious extremism in various parts of the world that affects the human rights of individuals, including persons belonging to religious minorities;

(c) Incidents of hatred, discrimination, intolerance and violence based on religion or belief, which may be associated with or manifested by the derogatory stereotyping, negative profiling and stigmatization of persons based on their religion or belief;

(d) Attacks on or destruction of religious places, sites and shrines that violate international law, in particular international human rights law and international humanitarian law, as they have more than material significance for the dignity and lives of persons holding spiritual or religious beliefs;

(e) Instances, both in law and practice, that constitute violations of the human right to freedom of religion or belief, including of the individual right to publicly express one's spiritual and religious beliefs, taking into account the relevant articles of the International Covenant on Civil and Political Rights,[1] as well as other international instruments;

(f) Constitutional and legislative systems that fail to provide adequate and effective guarantees of freedom of thought, conscience and religion or belief to all without distinction;

14. *Urges* States to step up their efforts to protect and promote freedom of thought, conscience and religion or belief, and to this end:

(a) To ensure that their constitutional and legislative systems provide adequate and effective guarantees of freedom of thought, conscience and religion or belief to all without distinction by, inter alia, providing access to justice, including by facilitating legal assistance and effective remedies in cases where the right to freedom of thought, conscience and religion or belief or the right to freely choose and practise one's religion or belief is violated, paying particular attention to persons belonging to religious minorities;

(b) To implement all accepted universal periodic review recommendations related to the promotion and protection of freedom of religion or belief;

(c) To ensure that no one within their territory and subject to their jurisdiction is deprived of the right to life, liberty and security of person because of religion or belief, to provide adequate protection to persons at risk of violent attack on the grounds of their religion or belief, to ensure that no one is subjected to torture or other cruel, inhuman or degrading treatment or punishment or arbitrary arrest or detention on that account and to bring to justice all perpetrators of violations of these rights;

(d) To end violations of the human rights of women and to devote particular attention to appropriate measures modifying or abolishing existing laws, regulations, customs and practices that discriminate against women, including in the exercise of their right to freedom of thought, conscience and religion or belief, and to foster practical ways to ensure equality between men and women;

(e) To ensure that existing legislation is not implemented in a discriminatory manner or does not result in discrimination based on religion or belief, that no one is discriminated against on the basis of his or her religion or belief when accessing, inter alia, education, medical care, employment, humanitarian assistance or social benefits and that everyone has the right and the opportunity to have access, on general terms of equality, to public services in their country, without any discrimination based on religion or belief;

(f) To review, whenever relevant, existing registration practices in order to ensure that such practices do not limit the right of all persons to manifest their religion or belief, either alone or in community with others and in public or private;

(g) To ensure that no official documents are withheld from the individual on the grounds of religion or belief and that everyone has the right to refrain from disclosing information concerning their religious affiliation in such documents against their will;

(h) To ensure, in particular, the right of all persons to worship, assemble or teach in connection with a religion or belief, their right to establish and maintain places for these purposes and the right of all persons to seek, receive and impart information and ideas in these areas;

(i) To ensure that, in accordance with appropriate national legislation and in conformity with international human rights law, the freedom of all persons and members of groups to establish and maintain religious, charitable or humanitarian institutions is fully respected and protected;

(j) To ensure that all public officials and civil servants, including members of law enforcement bodies, and personnel of detention facilities, the military and educators, in the course of fulfilling their official duties, respect freedom of religion or belief and do not discriminate for reasons based on religion or belief, and that they receive all necessary and appropriate awareness-raising, education or training on respect for freedom of religion or belief;

(k) To take all necessary and appropriate action, in conformity with international standards of human rights, to combat hatred, discrimination, intolerance and acts of violence, intimidation and coercion motivated by intolerance based on religion or belief, as well as incitement to hostility and violence, with particular regard to persons belonging to religious minorities in all parts of the world;

(l) To promote, through education and other means, mutual understanding, tolerance, non-discrimination and respect in all matters relating to freedom of religion or belief by encouraging, in society at large, a wider knowledge of the diversity of religions and beliefs and of the history, traditions, languages and cultures of the various religious minorities existing within their jurisdiction;

(m) To prevent any distinction, exclusion, restriction or preference based on religion or belief that impairs the recognition, enjoyment or exercise of human rights and fundamental freedoms on an equal basis and to detect signs of intolerance that may lead to discrimination based on religion or belief;

15. *Welcomes and encourages* initiatives by the media to promote tolerance and respect for religious and cultural diversity and the universal promotion and protection of human rights, including freedom of religion or belief, and stresses the importance of unhindered participation in the media and in public discourse for all persons, regardless of their religion or belief;

16. *Stresses* the importance of a continued and strengthened dialogue in all its forms, including among and within religions or beliefs, and with broader participation, including of women, to promote greater tolerance, respect and mutual understanding, and welcomes different initiatives in this regard, including the Alliance of Civilizations initiative and the programmes led by the United Nations Educational, Scientific and Cultural Organization;

17. *Welcomes and encourages* the continuing efforts of all actors in society, including non-governmental organizations and bodies and groups based on religion or belief, to promote the implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,[5] and further encourages their work in promoting freedom of religion or belief, in highlighting cases of religious intolerance, discrimination and persecution and in promoting religious tolerance;

[5] Resolution 36/55.

18. *Recommends* that States, the United Nations and other actors, including non-governmental organizations and bodies and groups based on religion or belief, in their efforts to promote freedom of religion or belief, ensure the widest possible dissemination of the text of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief in as many different languages as possible, and promote its implementation;

19. *Welcomes* the work and the interim report of the Special Rapporteur of the Human Rights Council on freedom of religion or belief on the rights of the child and his or her parents in the area of freedom of religion or belief;[6]

20. *Encourages* States to address violations and abuses highlighted in the interim report of the Special Rapporteur, including the forcible abduction and conversion of children from religious minorities;

21. *Urges* all Governments to cooperate fully with the Special Rapporteur, to respond favourably to his requests to visit their countries and to provide all information and follow-up necessary for the effective fulfilment of his mandate;

22. *Requests* the Secretary-General to ensure that the Special Rapporteur receives the resources necessary to fully discharge his mandate;

23. *Requests* the Special Rapporteur to submit an interim report to the General Assembly at its seventy-first session;

24. *Decides* to consider the question of freedom of religion or belief at its seventy-first session under the item entitled "Promotion and protection of human rights".

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[6] See A/70/286.

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General Assembly

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Seventieth session
Third Committee
Agenda item 71
Right of peoples to self-determination

Armenia, Bolivia (Plurinational State of), Cabo Verde, Cuba, Democratic People's Republic of Korea, Ecuador, Egypt,* Nicaragua, Saint Vincent and the Grenadines, Sri Lanka, the former Yugoslav Republic of Macedonia, Venezuela (Bolivarian Republic of), Viet Nam and State of Palestine: draft resolution

The right of the Palestinian people to self-determination

The General Assembly,

Aware that the development of friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples, is among the purposes and principles of the United Nations, as defined in the Charter,

Recalling, in this regard, its resolution 2625 (XXV) of 24 October 1970, entitled "Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations",

Bearing in mind the International Covenants on Human Rights,[1] the Universal Declaration of Human Rights,[2] the Declaration on the Granting of Independence to Colonial Countries and Peoples[3] and the Vienna Declaration and Programme of Action adopted at the World Conference on Human Rights on 25 June 1993,[4]

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[5]

Recalling also the United Nations Millennium Declaration,[6]

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* On behalf of the States Members of the United Nations that are members of the Organization of Islamic Cooperation.

[1] Resolution 2200 A (XXI), annex.

[2] Resolution 217 A (III).

[3] Resolution 1514 (XV).

[4] A/CONF.157/24 (Part I), chap. III.

[5] Resolution 50/6.

[6] Resolution 55/2.

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Recalling further the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory,[7] and noting in particular the reply of the Court, including on the right of peoples to self-determination, which is a right *erga omnes*,[8]

Recalling the conclusion of the Court, in its advisory opinion of 9 July 2004, that the construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, along with measures previously taken, severely impedes the right of the Palestinian people to self-determination,[9]

Stressing the urgency of achieving without delay an end to the Israeli occupation that began in 1967 and a just, lasting and comprehensive peace settlement between the Palestinian and Israeli sides, based on the relevant resolutions of the United Nations, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative[10] and the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,[11]

Stressing also the need for respect for and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem, and recalling in this regard its resolution 58/292 of 6 May 2004,

Recalling its resolution 69/165 of 18 December 2014,

Taking note of its resolution 67/19 of 29 November 2012,

Affirming the right of all States in the region to live in peace within secure and internationally recognized borders,

1. *Reaffirms* the right of the Palestinian people to self-determination, including the right to their independent State of Palestine;

2. *Urges* all States and the specialized agencies and organizations of the United Nations system to continue to support and assist the Palestinian people in the early realization of their right to self-determination.

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[7] See A/ES-10/273 and Corr.1.

[8] Ibid., advisory opinion, para. 88.

[9] Ibid., para. 122.

[10] A/56/1026-S/2002/932, annex II, resolution 14/221.

[11] S/2003/529, annex.

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Seventieth session

Third Committee

Agenda item 72 (b)

Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Benin, Chad, Democratic People's Republic of Korea, Egypt, Jordan, Morocco, Sri Lanka, Syrian Arab Republic, Tunisia and Viet Nam: draft resolution

Globalization and its impact on the full enjoyment of all human rights

The General Assembly,

Reaffirming the purposes and principles of the Charter of the United Nations, and expressing, in particular, the need to achieve international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction,

Recalling the Universal Declaration of Human Rights,[1] as well as the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[2] the Durban Declaration and Programme of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on 8 September 2001,[3] the outcome document of the Durban Review Conference, adopted on 24 April 2009,[4] and the political declaration of the high-level meeting of the General Assembly to commemorate the tenth anniversary of the adoption of the Durban Declaration and Programme of Action, entitled "United against racism, racial discrimination, xenophobia and related intolerance", of 22 September 2011,[5]

Recalling also the International Covenant on Civil and Political Rights[6] and the International Covenant on Economic, Social and Cultural Rights,[6]

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[1] Resolution 217 A (III).
[2] A/CONF.157/24 (Part I), chap. III.
[3] See A/CONF.189/12 and Corr.1, chap. I.
[4] See A/CONF.211/8, chap. I.
[5] Resolution 66/3.
[6] See resolution 2200 A (XXI), annex.

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Recalling further the Declaration on the Right to Development adopted by the General Assembly in its resolution 41/128 of 4 December 1986,

Recalling the United Nations Millennium Declaration[7] and the outcome documents of the twenty-third[8] and twenty-fourth[9] special sessions of the General Assembly, held in New York from 5 to 10 June 2000 and in Geneva from 26 June to 1 July 2000, respectively,

Recalling also its resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development",

Recalling further its resolutions 66/154 of 19 December 2011, 67/165 of 20 December 2012, 68/168 of 18 December 2013 and 69/173 of 18 December 2014,

Recalling Commission on Human Rights resolution 2005/17 of 14 April 2005 on globalization and its impact on the full enjoyment of all human rights,[10]

Recalling also Human Rights Council resolutions 21/5 of 27 September 2012[11] on the contribution of the United Nations system as a whole to the advancement of the business and human rights agenda and the dissemination and implementation of the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework,[12] 26/9 of 26 June 2014[13] on the elaboration of an international legally binding instrument on transnational corporations and other business enterprises with respect to human rights, 26/22 of 27 June 2014[14] on human rights and transnational corporations and other business enterprises and 27/30 of 26 September 2014,[15] entitled "Effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights: the activities of vulture funds",

Recognizing that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis,

Realizing that globalization affects all countries differently and makes them more exposed to external developments, positive as well as negative, inter alia, in the field of human rights,

Realizing also that globalization is not merely an economic process, but that it also has social, political, environmental, cultural and legal dimensions, which have an impact on the full enjoyment of all human rights and fundamental freedoms,

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[7] Resolution 55/2.

[8] Resolution S-23/2, annex, and resolution S-23/3, annex.

[9] Resolution S-24/2, annex.

[10] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* and corrigenda (E/2005/23 and Corr.1 and 2), chap. II, sect. A.

[11] See *Official Records of the General Assembly, Sixty-seventh Session, Supplement No. 53A* (A/67/53/Add.1), chap. III.

[12] A/HRC/17/31, annex.

[13] See *Official Records of the General Assembly, Sixty-ninth Session, Supplement No. 53* (A/69/53), chap. V, sect. A.

[14] Ibid.

[15] Ibid., *Supplement No. 53A* (A/69/53/Add.1), chap. IV, sect. A.

Emphasizing the need to fully implement the global partnership for development and enhance the momentum generated by the 2005 World Summit in order to operationalize and implement the commitments made in the outcomes of the major United Nations conferences and summits, including the 2005 World Summit, in the economic, social and related fields, and reaffirming in particular the commitment contained in paragraphs 19 and 47 of the 2005 World Summit Outcome[16] to promote fair globalization and the development of the productive sectors in developing countries to enable them to participate more effectively in and benefit from the process of globalization,

Realizing the need to undertake a thorough, independent and comprehensive assessment of the social, environmental and cultural impact of globalization on societies,

Recognizing in each culture a dignity and value that deserve recognition, respect and preservation, convinced that, in their rich variety and diversity and in the reciprocal influences that they exert on one another, all cultures form part of the common heritage belonging to all humankind, and aware of the risk that globalization poses more of a threat to cultural diversity if the developing world remains poor and marginalized,

Recognizing also that multilateral mechanisms have a unique role to play in meeting the challenges and opportunities presented by globalization,

Realizing the need to consider the challenges and opportunities linked to globalization with a view to addressing such challenges and building on possible opportunities in order to achieve the full enjoyment of all human rights,

Emphasizing the global character of the migratory phenomenon, the importance of international, regional and bilateral cooperation and the need to protect the human rights of migrants, particularly at a time in which migration flows have increased in the globalized economy,

Expressing grave concern at the negative impact of international financial turmoil on social and economic development and on the full enjoyment of all human rights, particularly in the light of the continuing global financial and economic crisis, which may have an adverse impact on the ability of Member States to implement the sustainable development agenda, and recognizing that developing countries are in a more vulnerable situation when facing such impact and that regional economic cooperation and development strategies and programmes can play a role in mitigating such impact,

Expressing deep concern at the negative impact of the continuing global food and energy crises and climate change challenges on social and economic development and on the full enjoyment of all human rights for all,

Recognizing that globalization should be guided by the fundamental principles that underpin the corpus of human rights, such as equity, participation, accountability, non-discrimination, transparency, inclusivity and equality at both the national and the international levels, respect for diversity, tolerance and international cooperation and solidarity,

[16] Resolution 60/1.

Emphasizing that the existence of widespread extreme poverty inhibits the full realization and effective enjoyment of human rights and that its immediate alleviation and eventual elimination must remain a high priority for the international community,

Acknowledging that there is greater acceptance that the increasing debt burden faced by the most indebted developing countries is unsustainable and constitutes one of the principal obstacles to achieving sustainable development and poverty eradication and that, for many developing countries, excessive debt servicing has severely constrained their capacity to promote social development and to provide basic services to realize economic, social and cultural rights,

Strongly reiterating the determination to ensure the timely and full realization of the sustainable development goals and objectives agreed at the major United Nations conferences and summits, including those agreed at the United Nations summit for the adoption of the post-2015 sustainable development agenda, which aim to galvanize efforts towards poverty eradication,

Gravely concerned at the inadequacy of measures to narrow the widening gap between the developed and the developing countries, and within countries, which has contributed to, inter alia, deepening poverty and has adversely affected the full enjoyment of all human rights, in particular in developing countries,

Emphasizing that transnational corporations and other business enterprises have a responsibility to respect all human rights,

Emphasizing also that human beings strive for a world that is respectful of human rights and cultural diversity and that, in this regard, they work to ensure that all activities, including those affected by globalization, are consistent with those aims,

1. *Underlines* the need for transnational corporations and other business enterprises to be held accountable under international human rights and humanitarian law for human rights violations, and to this end recognizes that these entities, as the owners of global wealth and key drivers of globalization, must contribute to the requisite means of implementation for the realization of the right to development and the ending of global poverty;

2. *Strongly underlines* that the phenomenon of globalization and its negative impact on the economies of the developing countries have brought about disparities in the equitable sharing of the benefits of globalization, and emphasizes that issues such as trade and trade liberalization, transfer of technology, infrastructure development and market access require effective management in order to mitigate the challenges of poverty and underdevelopment, implement the unfinished Millennium Development Goals and make the right to development and "Transforming our world: the 2030 Agenda for Sustainable Development"[17] a reality for everyone;

3. *Welcomes* the adoption by the Heads of State and Government and High Representatives, meeting at United Nations Headquarters in New York from 25 to 27 September 2015, of the 2030 Agenda for Sustainable Development;

4. *Recognizes* that, while globalization, by its impact on, inter alia, the role of the State, may affect human rights, the promotion and protection of all human rights is first and foremost the responsibility of the State;

[17] Resolution 70/1.

5. *Emphasizes* that development should be at the centre of the international economic agenda and that coherence between national development strategies and international obligations and commitments is imperative for an enabling environment for development and an inclusive and equitable globalization;

6. *Reaffirms* that narrowing the gap between rich and poor, both within and between countries, is an explicit goal at the national and international levels, as part of the effort to create an enabling environment for the full enjoyment of all human rights;

7. *Also reaffirms* the commitment to create an environment at both the national and the global levels that is conducive to development and to the eradication of poverty by, inter alia, promoting good governance within each country and at the international level, eliminating protectionism, enhancing transparency in the financial, monetary and trading systems and committing to an open, equitable, rules-based, predictable and non-discriminatory multilateral trading and financial system;

8. *Recognizes* the impacts that the global financial and economic crisis is still having on the ability of countries, particularly developing countries, to mobilize resources for development and to address the impact of this crisis, and in this context calls upon all States and the international community to alleviate, in an inclusive and development-oriented manner, any negative impacts of this crisis on the realization and the effective enjoyment of all human rights;

9. *Also recognizes* that, while globalization offers great opportunities, the fact that its benefits are very unevenly shared and its costs unevenly distributed represents an aspect of the process that affects the full enjoyment of all human rights, in particular in developing countries;

10. *Welcomes* the report of the United Nations High Commissioner for Human Rights on globalization and its impact on the full enjoyment of human rights,[18] which focuses on the liberalization of agricultural trade and its impact on the realization of the right to development, including the right to food, and takes note of the conclusions and recommendations contained therein;

11. *Reaffirms* the international commitment to eliminating hunger and to securing food for all, today and tomorrow, and reiterates that the relevant United Nations organizations should be assured the resources needed to expand and enhance their food assistance and support social safety net programmes designed to address hunger and malnutrition, when appropriate, through the use of local or regional purchase;

12. *Calls upon* Member States, relevant agencies of the United Nations system, intergovernmental organizations and civil society to promote inclusive, equitable and environmentally sustainable economic growth for managing globalization so that poverty is systematically reduced and the international development targets are achieved;

13. *Recognizes* that the responsible operations of transnational corporations and other business enterprises can contribute to the promotion, protection and fulfilment of all human rights and fundamental freedoms, in particular economic, social and cultural rights;

[18] E/CN.4/2002/54.

14. *Also recognizes* that only through broad and sustained efforts, including policies and measures at the global level to create a shared future based upon our common humanity in all its diversity, can globalization be made fully inclusive and equitable and have a human face, thus contributing to the full enjoyment of all human rights;

15. *Underlines* the urgent need to establish an equitable, transparent and democratic international system to strengthen and broaden the participation of developing countries in international economic decision-making and norm-setting;

16. *Affirms* that globalization is a complex process of structural transformation, with numerous interdisciplinary aspects, which has an impact on the enjoyment of civil, political, economic, social and cultural rights, including the right to development;

17. *Also affirms* that the international community should strive to respond to the challenges and opportunities posed by globalization in a manner that promotes and protects human rights while ensuring respect for the cultural diversity of all;

18. *Underlines*, therefore, the need to continue to analyse the consequences of globalization for the full enjoyment of all human rights;

19. *Takes note* of the report of the Secretary-General,[19] and requests him to continue to seek further the views of Member States and relevant agencies of the United Nations system and to submit to the General Assembly at its seventy-first session a substantive report on the subject based on those views, including recommendations on ways to address the impact of globalization on the full enjoyment of all human rights.

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[19] A/70/154.

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Seventieth session

Third Committee

Agenda item 72 (b)

Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Argentina, Armenia, Belgium, Brazil, Chile, Costa Rica, Cyprus, Finland, France, Germany, Ireland, Italy, Liechtenstein, Luxembourg, Morocco, Panama, Paraguay, Poland, the former Yugoslav Republic of Macedonia, Uruguay and Venezuela (Bolivarian Republic of): draft resolution

International Convention for the Protection of All Persons from Enforced Disappearance

The General Assembly,

Reaffirming its resolution 61/177 of 20 December 2006, by which it adopted and opened for signature, ratification and accession the International Convention for the Protection of All Persons from Enforced Disappearance,

Recalling its resolution 47/133 of 18 December 1992, by which it adopted the Declaration on the Protection of All Persons from Enforced Disappearance as a body of principles for all States,

Recalling also all its other resolutions on the matter, including resolution 69/169 of 18 December 2014, as well as relevant resolutions adopted by the Human Rights Council, including resolution 27/1 of 25 September 2014,[1]

Recalling further its resolution 68/165 of 18 December 2013 on the right to the truth, as well as Human Rights Council resolution 27/3 of 25 September 2014 on the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence,[1]

Recalling its resolution 68/268 of 9 April 2014 on strengthening and enhancing the effective functioning of the human rights treaty body system,

Recalling also that no one shall be subjected to enforced disappearance,

[1] See *Official Records of the General Assembly, Sixty-ninth Session, Supplement No. 53A* and corrigenda (A/69/53/Add.1 and Corr.1 and 2), chap. IV, sect. A.

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Recalling further that no exceptional circumstance whatsoever may be invoked as a justification for enforced disappearance,

Recalling that no one shall be held in secret detention,

Deeply concerned, in particular, by the increase in enforced or involuntary disappearances in various regions of the world, including arrest, detention and abduction, when these are part of or amount to enforced disappearances, and by the growing number of reports concerning harassment, ill-treatment and intimidation of witnesses of disappearances or relatives of persons who have disappeared,

Recalling that the Convention sets out the right of victims to know the truth regarding the circumstances of the enforced disappearance, the progress and results of the investigation and the fate of the disappeared person, and sets forth State party obligations to take appropriate measures in this regard,

Recalling also that the Convention defines the victim of enforced disappearance as the disappeared person and any individual who has suffered harm as the direct result of an enforced disappearance,

Acknowledging that the widespread or systematic practice of enforced disappearance is recognized in the Convention as a crime against humanity, as defined in applicable international law,

Stressing the importance of the work of the Working Group on Enforced or Involuntary Disappearances,

Acknowledging the valuable work of the International Committee of the Red Cross in promoting compliance with international humanitarian law in this field,

1. *Welcomes* the fifth anniversary of the entry into force of the International Convention for the Protection of All Persons from Enforced Disappearance;[2]

2. *Recognizes* the importance of the Convention, the ratification and the implementation of which will be a significant contribution to ending impunity and to promoting and protecting all human rights for all;

3. *Welcomes* the fact that 94 States have signed the Convention and 51 have ratified or acceded to it, and calls upon States that have not yet done so to consider signing, ratifying or acceding to the Convention as a matter of priority, as well as to consider the option provided for in articles 31 and 32 of the Convention regarding the Committee on Enforced Disappearances;

4. *Also welcomes* the report of the Secretary-General;[3]

5. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to increase their intensive efforts to assist States in becoming parties to the Convention, including by supporting the actions of States to ratify the Convention, providing technical and capacity-building assistance to States and civil society and raising awareness about the Convention, with a view to achieving universal adherence;

6. *Requests* United Nations agencies and organizations, and invites intergovernmental and non-governmental organizations and the Working Group on

[2] Resolution 61/177, annex.
[3] A/70/261.

Enforced or Involuntary Disappearances, to continue to make efforts to disseminate information on the Convention, to promote understanding of it and to assist States parties in implementing their obligations under this instrument;

7. *Welcomes* the work achieved by the Committee, and encourages all States parties to the Convention to submit their reports, to support and promote the work of the Committee and to implement its recommendations;

8. *Recognizes* the importance of the Declaration on the Protection of All Persons from Enforced Disappearance[4] as a body of principles for all States designed to punish enforced disappearances, to prevent their commission and to help victims of such acts and their families to seek fair, prompt and adequate reparation;

9. *Welcomes* the cooperation established between the Working Group and the Committee, within the framework of their respective mandates, and encourages further cooperation in the future;

10. *Takes note with interest* of all the general comments of the Working Group, including the most recent comments on children[5] and women[6] affected by enforced disappearances, and recognizes in this regard that enforced disappearances have special consequences for women and vulnerable groups, especially children, as they most often bear the serious economic hardships that usually accompany such disappearances and, when subjected to enforced disappearances themselves, may become particularly vulnerable to sexual and other forms of violence;

11. *Welcomes* the fact that the Committee held its annual meeting with the Working Group, as an opportunity to take stock of the activities of the two parallel organs, which are complementary and reinforce each other within the framework of their respective mandates;

12. *Decides* to devote one high-level plenary meeting of the General Assembly, within existing resources, at its seventy-first session to the commemoration of the tenth anniversary of adoption of the Convention, and requests the President of the General Assembly to conduct consultations with Member States in order to determine the modalities for that meeting;

13. *Invites* the Chair of the Committee and the Chair of the Working Group to address and engage in an interactive dialogue with the General Assembly at its seventy-first and seventy-second sessions under the item entitled "Promotion and protection of human rights";

14. *Requests* the Secretary-General to submit to the General Assembly at its seventy-first and seventy-second sessions a report on the status of the Convention and the implementation of the present resolution;

15. *Decides* to give its full consideration to the subject matter at its seventy-second session.

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[4] Resolution 47/133.
[5] A/HRC/WGEID/98/1 and Corr.1.
[6] A/HRC/WGEID/98/2.

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Seventieth session
Third Committee
Agenda item 72 (c)
Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Netherlands, Norway, Poland, Portugal, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

Situation of human rights in the Islamic Republic of Iran

The General Assembly,

Guided by the Charter of the United Nations, as well as the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights[2] and other international human rights instruments,

Recalling its previous resolutions on the situation of human rights in the Islamic Republic of Iran, the most recent of which is resolution 69/190 of 18 December 2014,

1. *Takes note* of the report of the Secretary-General of 31 August 2015 submitted pursuant to resolution 69/190[3] and the report of the Special Rapporteur of the Human Rights Council of 6 October 2015,[4] submitted pursuant to Council resolution 28/21 of 27 March 2015,[5] both on the situation of human rights in the Islamic Republic of Iran;

[1] Resolution 217 A (III).
[2] Resolution 2200 A (XXI), annex.
[3] A/70/352.
[4] A/70/411.
[5] See *Official Records of the General Assembly, Seventieth Session, Supplement No. 53* (A/70/53), chap. III, sect. A.

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2. *Continues to welcome* the pledges made by the President of the Islamic Republic of Iran with regard to some important human rights issues, particularly on eliminating discrimination against women and members of ethnic minorities, and on greater space for freedom of expression and opinion;

3. *Acknowledges* proposals for legislative and administrative changes in the Islamic Republic of Iran, which, if properly implemented, would address some human rights concerns, including portions of the new Code of Criminal Procedure;

4. *Welcomes* recent announcements by the Government of the Islamic Republic of Iran of increased services for victims of domestic violence, as well as draft legislation that may increase penalties for perpetrators of violence against women;

5. *Also welcomes* steps taken to improve access to education for persons belonging to some ethnic minorities in their native languages;

6. *Acknowledges* the participation of the Government of the Islamic Republic of Iran in its second universal periodic review, and welcomes its acceptance of 130 recommendations, as well as its recent engagement with human rights treaty bodies through the submission of periodic national reports, while remaining concerned about the Government's implementation record in respect of the recommendations that it accepted during its first universal periodic review;

7. *Expresses serious concern* at the alarming high frequency of and increase in the carrying-out of the death penalty, in disregard of internationally recognized safeguards, including executions undertaken without notification to the prisoner's family members or legal counsel, and at the continuing imposition and carrying-out of the death penalty against minors and persons who at the time of their offence were under the age of 18, in violation of the obligations of the Islamic Republic of Iran under both the Convention on the Rights of the Child[6] and the International Covenant on Civil and Political Rights,[2] and for crimes that do not qualify as the most serious crimes, and calls upon the Government of the Islamic Republic of Iran to abolish, in law and in practice, public executions, which are contrary to the 2008 prohibition of this practice by the former head of the judiciary, and executions carried out in violation of its international obligations or in the absence of respect for internationally recognized safeguards;

8. *Calls upon* the Government of the Islamic Republic of Iran to ensure, in law and in practice, that no one is subjected to torture or other cruel, inhuman or degrading treatment or punishment, which may include sexual violence, in conformity with the constitutional guarantees of the Islamic Republic of Iran and international obligations;

9. *Urges* the Government of the Islamic Republic of Iran to uphold, in law and in practice, procedural guarantees to ensure fair trial standards of law, including timely access to legal representation of one's choice, the right not to be subjected to torture, cruel and inhuman or degrading treatment or punishment and consideration of bail and other reasonable terms for release from custody pending trial, and urges the Government to cease enforced disappearances and the widespread and systematic use of arbitrary detention;

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[6] United Nations, *Treaty Series*, vol. 1577, No. 27531.

10. *Calls upon* the Government of the Islamic Republic of Iran to address the poor conditions of prisons, to eliminate the denial of access to adequate medical treatment and the consequent risk of death faced by prisoners and to put an end to the continued and sustained house arrest of leading opposition figures from the 2009 presidential elections despite serious concerns about their health, as well as the pressure exerted upon their relatives and dependants, including through arrest;

11. *Also calls upon* the Government of the Islamic Republic of Iran, including the judicial and security branches, to end widespread and serious restrictions, in law and in practice, on the right to freedom of expression, opinion, association and peaceful assembly, including through the ongoing harassment, intimidation, arbitrary detention and prosecution of, as well as the denial of access to higher education for, political opponents, human rights defenders, women's and minority rights activists, labour leaders, students' rights activists, academics, film-makers, journalists, bloggers, social media users, religious leaders, artists, lawyers, recognized and unrecognized religious minorities and their families, and urges the Government to release persons arbitrarily detained for the legitimate exercise of these rights, to consider rescinding unduly harsh sentences, including the death penalty and long-term exile, for exercising such fundamental freedoms and to end reprisals against individuals cooperating with the United Nations human rights mechanisms;

12. *Strongly urges* the Government of the Islamic Republic of Iran to eliminate, in law and in practice, all forms of discrimination and other human rights violations against women and girls, to take measures to ensure protection for women and girls against violence, to address the alarming incidence of child, early and forced marriage, to promote women's participation in decision-making processes and, while recognizing the high enrolment of women in all levels of education in the Islamic Republic of Iran, to lift restrictions on women's equal access to all aspects of education and women's equal participation in the labour market and in all aspects of economic, cultural, social and political life;

13. *Calls upon* the Government of the Islamic Republic of Iran to eliminate, in law and in practice, all forms of discrimination and other human rights violations against persons belonging to ethnic, linguistic or other minorities, including but not limited to Arabs, Azeris, Balochis and Kurds and their defenders;

14. *Expresses serious concern* about ongoing severe limitations and restrictions on the right to freedom of thought, conscience, religion or belief and restrictions on the establishment of places of worship, as well as attacks against places of worship and burial, as well as other human rights violations, including but not limited to harassment, persecution and incitement to hatred that lead to violence against persons belonging to recognized and unrecognized religious minorities, including Christians, Jews, Sufi Muslims, Sunni Muslims, Zoroastrians and members of the Baha'i faith and their defenders, and calls on the Government of the Islamic Republic of Iran to release the seven Baha'i leaders declared by the Working Group on Arbitrary Detention to have been arbitrarily detained since 2008, and to eliminate, in law and in practice, all forms of discrimination, including the closure of businesses, and other human rights violations against persons belonging to recognized and unrecognized religious minorities;

15. *Urges* the Government of the Islamic Republic of Iran to launch a comprehensive accountability process in response to cases of serious human rights

violations, including those involving the Iranian judiciary and security agencies and those following the 2009 presidential elections, and calls on the Government to end impunity for such violations;

16. *Strongly urges* the Government of the Islamic Republic of Iran to ensure credible, transparent and inclusive parliamentary elections in 2016, and to allow all candidates to stand in a manner consistent with the Universal Declaration of Human Rights[1] and the International Covenant on Civil and Political Rights[2] in order to guarantee the free expression of the will of the Iranian people, and to that end calls upon the Government to allow independent national and international observation;

17. *Calls upon* the Government of the Islamic Republic of Iran to implement its obligations under those human rights treaties to which it is already a party, to withdraw any reservations that it has made where such reservations are overly general, imprecise or could be considered incompatible with the object and purpose of the treaty, to consider acting upon the concluding observations concerning the Islamic Republic of Iran adopted by the bodies of the international human rights treaties to which it is a party and to consider ratifying or acceding to the international human rights treaties to which it is not already a party;

18. *Also calls upon* the Government of the Islamic Republic of Iran to engage with international human rights mechanisms by:

(a) Cooperating fully with the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, including by accepting the repeated requests made by the Special Rapporteur to visit the country in order to carry out his mandate;

(b) Cooperating with other special mechanisms, including by facilitating long-standing requests for access to the country from thematic special procedures mandate holders, whose access to its territory has been restricted or denied, despite the standing invitation issued by the Islamic Republic of Iran, without imposing undue conditions upon those visits;

(c) Implementing all accepted universal periodic review recommendations from its first cycle, in 2010, and its second cycle, in 2014, with the full and genuine participation of independent civil society and other stakeholders in the implementation process;

(d) Building upon the engagement of the Islamic Republic of Iran with the universal periodic review process by continuing to explore cooperation on human rights and justice reform with the United Nations, including the Office of the United Nations High Commissioner for Human Rights;

(e) Following through on its commitment to establish an independent national human rights institution, made in the context of its first universal periodic review by the Human Rights Council, with due regard for the recommendation of the Committee on Economic, Social and Cultural Rights;

19. Further calls upon the Government of the Islamic Republic of Iran to translate the pledges made by the President of the Islamic Republic of Iran with respect to human rights concerns into concrete action that results in demonstrable improvements as soon as possible and to ensure that its national laws are consistent with its obligations under international human rights law and that they are implemented in accordance with its international obligations;

20. *Calls upon* the Government of the Islamic Republic of Iran to address the substantive concerns highlighted in the reports of the Secretary-General and the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, as well as the specific calls to action found in previous resolutions of the General Assembly, and to respect fully its human rights obligations in law and in practice;

21. *Strongly encourages* the relevant thematic special procedures mandate holders to pay particular attention to, with a view to investigating and reporting on, the human rights situation in the Islamic Republic of Iran;

22. *Requests* the Secretary-General to report to the General Assembly at its seventy-first session on the progress made in the implementation of the present resolution, including options and recommendations to improve its implementation, and to submit an interim report to the Human Rights Council at its thirty-first session;

23. *Decides* to continue its examination of the situation of human rights in the Islamic Republic of Iran at its seventy-first session under the item entitled "Promotion and protection of human rights".

United Nations A/C.3/70/L.46

General Assembly

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2 November 2015

Original: English

Seventieth session
Third Committee
Agenda item 72 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Argentina, Armenia, Australia, Chile, Colombia, Georgia, Hungary, Iceland, Ireland, Liechtenstein, Norway, Panama, Switzerland, United States of America and Vanuatu: draft resolution

Recognizing the role of human rights defenders and the need for their protection

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Guided also by the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights[2] and other relevant instruments,

Recalling its resolution 53/144 of 9 December 1998, by which it adopted by consensus the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, as well as all other previous resolutions on this subject, including its resolutions 66/164 of 19 December 2011 and 68/181 of 18 December 2013 and Human Rights Council resolutions 22/6 of 21 March 2013 and 25/18 of 28 March 2014,

Reaffirming the importance of the Declaration and its implementation, and that promoting respect and support for the activities of human rights defenders is essential to the overall enjoyment of human rights,

Welcoming the steps taken by the United Nations High Commissioner for Human Rights and some States and regional organizations in making the Declaration available and known to all stakeholders at the national and local levels in their respective languages, and underlining the need to promote and give full

[1] Resolution 217 A (III).
[2] Resolution 2200 A (XXI), annex.

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effect to the Declaration, including through its translation into the various languages and further dissemination with a view to its implementation in all regions,

Emphasizing the important role that individuals and civil society institutions, including non-governmental organizations, groups and national human rights institutions, play at the local, national, regional and international levels in the promotion and protection of all human rights and fundamental freedoms for all,

Recognizing the substantial role that human rights defenders can play in supporting efforts to strengthen conflict prevention, peace and development, through dialogue, openness, participation and justice, including by monitoring, reporting on and contributing to the promotion and protection of human rights,

Recognizing also the vital work of human rights defenders in promoting, protecting and advocating the realization of economic, social and cultural rights, and concerned that threats, attacks and restrictions against human rights defenders have a negative impact on the realization of these rights, including as they relate to environmental and land issues as well as development,

Reaffirming that States are under the obligation to protect all human rights and fundamental freedoms of all persons, underscoring that the legal framework within which human rights defenders work peacefully to promote and protect human rights and fundamental freedoms is that of national legislation consistent with the Charter and international human rights law, and recognizing the need, where necessary, to review and amend relevant legislation and its implementation in order to ensure compliance with the obligations and commitments of States under international human rights law,

Mindful that domestic law and administrative provisions and their application should enable the work of human rights defenders, including by avoiding any criminalization or stigmatization of the important activities of human rights defenders and the communities of which they are a part or on whose behalf they work, and by avoiding impediments, obstructions, restrictions or selective enforcement thereof contrary to relevant provisions of international human rights law,

Gravely concerned by the considerable and increasing number of communications received by special procedures of the Human Rights Council documenting the serious nature of the risks faced by human rights defenders, including women human rights defenders, and the prevalence of impunity for violations and abuses against them in many countries, where they may frequently face threats, harassment and attacks and suffer insecurity, including through restrictions on freedom of association or expression or the right to peaceful assembly, abuse of criminal or civil proceedings, or deplorable acts of intimidation and reprisal intended to prevent their cooperation with the United Nations and other international bodies in the field of human rights,

Gravely concerned also that in some instances human rights defenders are subject to attacks, threats and other abuses by non-State actors, and underlining the need for the human rights and fundamental freedoms of human rights defenders to be respected and protected,

Gravely concerned further that national security and counter-terrorism legislation and other measures, such as laws regulating civil society organizations,

are in some instances misused to target human rights defenders or hinder their work, endangering their safety in a manner contrary to international law,

Welcoming the steps taken by some States, including in follow-up of the universal periodic review under the Human Rights Council, towards the improvement of dialogue between authorities and civil society and towards the adoption of national policies and legislation that serve to create a safe and enabling environment and to recognize and protect human rights defenders, in particular from being prosecuted for peaceful activities, and against threats, harassment, intimidation, duress, arbitrary detention or arrest, enforced disappearance, violence and attacks by State and non-State actors,

Determined that dissenting views, including views on government and corporate policies related to or with an impact on human rights, may be expressed peacefully and communicated freely in society, online and offline, in accordance with international human rights law, and stressing in this regard the importance of independent voices of civic activity, human rights education and independent, impartial and competent national judicial systems,

Stressing in particular that information and communication technologies are important tools for the promotion of human rights and reporting on violations, and concerned by reports that such technologies are increasingly being used to monitor and hamper the work of human rights defenders,

Strongly reaffirming that everyone has the right, individually and in association with others, to promote and strive for the protection and realization of human rights and fundamental freedoms at the national and international levels, as laid out in the Declaration, including in the context of promoting the implementation of the 2030 Agenda for Sustainable Development,[3]

1. *Stresses* that the right of everyone to promote and strive for the protection and realization of human rights and fundamental freedoms without retaliation or fear thereof is an essential element in building and maintaining sustainable, open and democratic societies;

2. *Calls upon* all States to take all measures necessary to ensure the rights and safety of human rights defenders who exercise the rights to freedom of opinion, expression, peaceful assembly and association, which are essential for the promotion and protection of other rights;

3. *Welcomes* the work and the reports of the Special Rapporteur on the situation of human rights defenders;

4. *Urges* States to acknowledge through public statements, policies or laws the important and legitimate role of human rights defenders in the promotion of human rights, democracy and the rule of law as essential components of ensuring their recognition and protection;

5. *Strongly condemns* the violence against and the targeting, criminalization, intimidation, torture, disappearance, killing and thus silencing of human rights defenders for reporting and seeking information on human rights violations, and stresses the need to combat impunity by ensuring that those responsible for violations and abuses against human rights defenders, including

[3] Resolution 70/1.

against their legal representatives, associates and family members, are promptly brought to justice through impartial investigations;

6. *Condemns* all acts of intimidation and reprisal by State and non-State actors against individuals and groups, including against human rights defenders and their legal representatives, associates and family members, who seek to cooperate, are cooperating or have cooperated with subregional, regional and international bodies, including the United Nations, its representatives and mechanisms, in the field of human rights;

7. *Welcomes* the efforts made by some States to investigate allegations of intimidation or reprisal and to bring perpetrators to justice, and encourages Governments to support such efforts, including as called for in paragraph 18 of the present resolution;

8. *Urges* States and leaders in all sectors of society to condemn unequivocally and publicly all cases of violence and discrimination against human rights defenders, including women human rights defenders;

9. *Urges* non-State actors to respect the human rights and fundamental freedoms of all persons and to refrain from undermining the capacity of human rights defenders, including women human rights defenders, to operate free from hindrance and insecurity;

10. *Strongly urges* the release of persons detained or imprisoned for exercising their human rights and fundamental freedoms, such as the rights to freedom of expression, peaceful assembly and association, including in relation to cooperation with the United Nations or other international mechanisms in the area of human rights, and demands that States take concrete steps to prevent and put an end to the practice of the arbitrary arrest and detention of human rights defenders;

11. *Reaffirms* the urgent need to respect, protect, facilitate and promote the work of those promoting and defending economic, social and cultural rights, as a vital factor contributing towards the realization of those rights, including as they relate to environmental and land issues as well as development;

12. *Calls upon* all States to create and maintain a safe and enabling environment for the defence of human rights and specifically to ensure that:

(a) The promotion and protection of human rights are not criminalized or met with limitations in contravention of international human rights law;

(b) Human rights defenders, their family members, associates and legal representatives are not prevented from enjoying universal human rights owing to their work, including by ensuring that all legal provisions, administrative measures and policies affecting them, including those aimed at preserving public safety, public order and public morals, are minimally restrictive, clearly defined, determinable, non-retroactive and compatible with relevant provisions of international human rights law;

(c) Measures to combat terrorism and preserve national security are in compliance with their obligations and commitments under international law, in particular under international human rights law, and do not hinder the work and safety of individuals, groups and organs of society engaged in promoting and

defending human rights, while defining transparent and foreseeable criteria to identify clearly which offences qualify as terrorist acts;

(d) Where legislation and procedures governing registration and funding for civil society organizations exist, these are transparent, non-discriminatory, expeditious, inexpensive, allow for the possibility to appeal and avoid requiring re-registration, and that such national provisions are in compliance with international human rights law;

(e) Procedural safeguards, including in criminal cases, are in place in accordance with international human rights law in order to avoid the use of unreliable evidence, unwarranted investigations and procedural delays, thereby effectively contributing to the expeditious closing of unsubstantiated cases, including against human rights defenders, and individuals are afforded the opportunity to lodge complaints directly with the appropriate authority;

(f) Information held by public authorities, including but not limited to information on grave violations of human rights, is effectively disclosed, and transparent and clear laws and policies provide for a general right to request and receive such information, for which public access should be granted, except within narrow and clearly defined limitations;

(g) Provisions do not prevent public officials from being held accountable, and penalties for defamation are limited in order to ensure proportionality and reparation commensurate with the harm done;

(h) Information and communication technologies are not used in a manner that amounts to arbitrary or unlawful interference with the privacy of individuals or to threats against human rights defenders;

13. *Urges* States to develop and put in place comprehensive and sustainable public policies and programmes that support and protect human rights defenders, including their family members, associates and legal representatives;

14. *Reaffirms* the utility and benefit of consultations and dialogue with human rights defenders related to public policies and programmes for protection purposes as put forward in paragraph 13 of the present resolution, and encourages States to appoint focal points or to employ other relevant mechanisms for human rights defenders within the public administration;

15. *Continues to express particular concern* about systemic and structural discrimination and violence faced by women human rights defenders in many countries and parts of the world, and reiterates its strong call upon States to take appropriate, robust and practical steps to protect them, as called for by the General Assembly in its resolution 68/181 of 18 December 2013;

16. Expresses concern about stigmatization and discrimination that target or affect individuals and associations defending the rights of persons belonging to minorities or espousing minority beliefs or views, or other groups vulnerable to discrimination, and calls upon States to renounce firmly all discrimination and violence, underlining that such practices can never be justified on any grounds;

17. *Reaffirms* the right of everyone, individually and in association with others, to unhindered access to and communication with international bodies, in particular the United Nations, its representatives and mechanisms in the field of

human rights, including the Human Rights Council, its special procedures, the universal periodic review mechanism and the treaty bodies, as well as regional human rights mechanisms;

18. *Strongly calls upon* all States to take due note of the recommendations contained in the reports of the Secretary-General on cooperation with the United Nations, its representatives and mechanisms in the field of human rights, and specifically to:

(a) Refrain from, and ensure adequate protection from, any act of intimidation or reprisal against human rights defenders who cooperate, have cooperated or seek to cooperate with international institutions, including their family members and associates;

(b) Fulfil the duty to end impunity for any such acts of intimidation or reprisals by bringing the perpetrators to justice and by providing an effective remedy for their victims;

(c) Avoid legislation, measures and practices that have the effect of undermining the right reaffirmed in paragraph 17 of the present resolution;

19. *Encourages* regional organizations to consider the situation of human rights defenders and to develop and employ appropriate and effective guidelines and mechanisms for their protection, addressing violations and abuses by State and non-State actors;

20. *Invites* leaders in all sectors of society and in their respective communities, including political, military, social and religious leaders and leaders in business and the media, to express public support for the important role of human rights defenders, including women human rights defenders, and the legitimacy of their work;

21. *Underscores* the responsibility of business enterprises to respect human rights, which includes avoiding infringement upon the fundamental rights to life, liberty and security of person of human rights defenders, and their exercise of the rights to freedom of expression, peaceful assembly and association, and participation in public affairs, which are essential for the promotion and protection of other rights, including economic, social and cultural rights, and urges enterprises to identify and address any adverse human rights impacts related to their activities through meaningful consultation with potentially affected groups and other relevant stakeholders in a manner consistent with the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework;[4]

22. *Encourages* national human rights institutions to pay due attention to the situation of human rights defenders, including through consultations with relevant stakeholders on issues such as legislation, policies and administrative measures that affect the defence of human rights, and to develop and support the documentation of violations and abuses against human rights defenders and their legal representatives, associates and family members;

23. *Encourages* the Office of the United Nations High Commissioner for Human Rights and the special procedures to continue the efforts related to the

[4] A/HRC/17/31, annex.

protection of human rights defenders, as laid out in relevant resolutions, including by offering assistance for the consideration of States in bringing their legislation and its application into line with international human rights law;

24. *Encourages* United Nations bodies, agencies and other entities, within their respective mandates and in cooperation with the Office of the United Nations High Commissioner for Human Rights and the Special Rapporteur, to address the situation of human rights defenders in their work in order to contribute to the effective implementation of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms;[5]

25. *Requests* all concerned United Nations agencies and organizations, within their mandates, to provide all possible assistance and support to the Special Rapporteur for the effective fulfilment of his mandate, including in the context of country visits and through suggestions on ways and means of ensuring the protection of human rights defenders, including women human rights defenders;

26. *Urges* States to cooperate with and assist the Special Rapporteur in the performance of his tasks, including by responding without undue delay to the communications transmitted to them by the Special Rapporteur, and reiterates its call upon States to give serious consideration to responding favourably to the requests of the Special Rapporteur to visit their countries and to enter into a constructive dialogue with respect to the follow-up and implementation of recommendations, so as to enable the Special Rapporteur to fulfil his mandate even more effectively;

27. *Requests* the Special Rapporteur to continue to report annually on his activities to the General Assembly and the Human Rights Council, in accordance with his mandate;

28. *Requests* the Secretary-General to compile and regularly share information on national experiences and good practices, tracking the progress of implementation of the present resolution;

29. *Decides* to remain seized of the matter.

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[5] Resolution 53/144, annex.

United Nations A/C.3/70/L.47

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Seventieth session
Third Committee
Agenda item 72 (c)
Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Bahrain, Bulgaria, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Jordan, Kuwait, Luxembourg, Malta, Micronesia (Federated States of), Morocco, Qatar, Saudi Arabia, Slovenia, Spain, Sweden, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America and Yemen: draft resolution

Situation of human rights in the Syrian Arab Republic

The General Assembly,

Guided by the Charter of the United Nations,

Reaffirming the purposes and principles of the Charter, the Universal Declaration of Human Rights[1] and relevant international human rights treaties, including the International Covenants on Human Rights,[2]

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic and to the principles of the Charter,

Recalling its resolutions 66/176 of 19 December 2011, 66/253 A of 16 February 2012, 66/253 B of 3 August 2012, 67/183 of 20 December 2012, 67/262 of 15 May 2013, 68/182 of 8 December 2013 and 69/189 of 18 December 2014, Human Rights Council resolutions S-16/1 of 29 April 2011,[3] S-17/1 of 23 August 2011,[3] S-18/1 of 2 December 2011,[4] 19/1 of 1 March 2012,[5] 19/22 of 23 March 2012,[5] S-19/1 of 1 June 2012,[6] 20/22 of 6 July 2012,[7] 21/26 of 28 September 2012,[8] 22/24 of 22 March 2013,[9] 23/1 of 29 May 2013,[10] 23/26 of

[1] Resolution 217 A (III).
[2] Resolution 2200 A (XXI), annex.
[3] See *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 53* (A/66/53), chap. I.
[4] Ibid., *Supplement No. 53B* and corrigendum (A/66/53/Add.2 and Corr.1), chap. II.
[5] Ibid., *Sixty-seventh Session, Supplement No. 53* and corrigendum (A/67/53 and Corr.1), chap. III, sect. A.
[6] Ibid., chap. V.
[7] Ibid., chap. IV, sect. A.
[8] Ibid., *Supplement No. 53A* (A/67/53/Add.1), chap. III.
[9] Ibid., *Sixty-eighth Session, Supplement No. 53* (A/68/53), chap. IV, sect. A.

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14 June 2013,[10] 24/22 of 27 September 2013,[11] 25/23 of 28 March 2014,[12] 26/23 of 27 June 2014,[13] 27/16 of 25 September 2014,[14] 28/20 of 27 March 2015, 29/16 of 2 July 2015 and 30/10 of 1 October 2015 and Security Council resolutions 2042 (2012) of 14 April 2012, 2043 (2012) of 21 April 2012, 2118 (2013) of 27 September 2013, 2139 (2014) of 22 February 2014, 2165 (2014) of 14 July 2014, 2170 (2014) of 15 August 2014, 2178 (2014) of 24 September 2014, 2191 (2014) of 17 December 2014, 2209 (2015) of 6 March 2015 and 2235 (2015) of 7 August 2015 and the statements by the President of the Council of 3 August 2011,[15] 2 October 2013,[16] and 17 August 2015,[17]

Condemning the grave deterioration of the human rights situation and the indiscriminate killing and deliberate targeting of civilians as such, in violation of international humanitarian law, and acts of violence that foment sectarian tensions,

Noting with concern the culture of impunity for serious violations of international humanitarian law and violations and abuses of human rights law committed during the present conflict, which has provided a fertile ground for further violations and abuses,

Recalling that, amid expressions of popular discontent over restrictions on the enjoyment of civil, political, economic and social rights, civilian protests erupted in Dar'a in March 2011, and noting that the excessive and violent oppression of civilian protests by the Syrian authorities, which later escalated to the direct shelling of civilian population areas, fuelled the escalation of armed violence and extremist groups, including so-called Islamic State in Iraq and the Levant (ISIL) (Daesh),

Expressing outrage at the continuing escalation of violence in the Syrian Arab Republic, which has caused more than 250,000 fatalities, including the killing of many more than 10,000 children, and in particular at the continued widespread and systematic gross violations, as well as abuses, of human rights and violations of international humanitarian law, including those involving the continued indiscriminate use of heavy weapons and aerial bombardments, such as the indiscriminate use of ballistic missiles, cluster munitions, barrel and vacuum bombs and chlorine gas, and the starvation of civilians as a method of combat, which are prohibited under international humanitarian law, by the Syrian authorities against the Syrian population,

Expressing grave concern at the disproportionate use of force by the Syrian authorities against its civilians, which caused immense human suffering and fomented the spread of extremism and extremist groups and which demonstrates the failure of the Syrian authorities to protect its population and to implement the relevant resolutions and decisions of United Nations bodies,

Taking note of the identical letters dated 18 June 2015 addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council, on behalf of 71 Member States, expressing outrage regarding the

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[10] Ibid., chap. V, sect. A.
[11] Ibid., *Supplement No. 53A* (A/68/53/Add.1), chap. III.
[12] Ibid., *Sixty-ninth Session, Supplement No. 53* (A/69/53), chap. IV, sect. A.
[13] Ibid., chap. V, sect. A.
[14] Ibid., *Supplement No. 53A* and corrigendum (A/69/53/Add.1 and Corr.1), chap. IV, sect. A.
[15] S/PRST/2011/16.
[16] S/PRST/2013/15.
[17] S/PRST/2015/15.

continued bloodshed and violence against civilians in Syria, caused in particular by the systematic use of barrel bombs,

Expressing grave concern at the spread of extremism and extremist groups, terrorism and terrorist groups, and strongly condemning all violations and abuses of human rights and violations of international humanitarian law committed in the Syrian Arab Republic by any party to the conflict, in particular so-called ISIL (Daesh), militias fighting on behalf of the regime, Al-Qaida-affiliated terrorist groups and other extremist groups,

Expressing support for the work carried out by the Independent International Commission of Inquiry on the Syrian Arab Republic, and strongly condemning the lack of cooperation by the Syrian authorities with the Commission of Inquiry,

Noting with serious concern the observation of the Commission of Inquiry that, since March 2011, the Syrian authorities have conducted widespread attacks against the civilian population as a matter of policy,

Recalling the statements made by the Secretary-General, the United Nations High Commissioner for Human Rights and the special procedures of the Human Rights Council that crimes against humanity and war crimes are likely to have been committed in the Syrian Arab Republic, noting the repeated encouragement by the High Commissioner for the Security Council to refer the situation to the International Criminal Court, and regretting that a draft resolution [18] was not adopted notwithstanding broad support from Member States,

Expressing its deepest concern about the findings of the Commission of Inquiry and also the allegations contained in the evidence presented by "Caesar" in January 2014 regarding the torture and execution of persons incarcerated by the Syrian authorities, and underscoring the need for those allegations and similar evidence to be collected, examined and made available for future accountability efforts,

Expressing concern that the implementation of Security Council resolutions 2139 (2014), 2165 (2014) and 2191 (2014) remains largely unfulfilled, and noting the urgent need to strengthen efforts to address the humanitarian situation in the Syrian Arab Republic, including through protection of civilians and rapid, safe and unhindered humanitarian access,

Recalling its commitment to Security Council resolutions 2170 (2014) and 2178 (2014),

Alarmed that more than 4.2 million refugees, including more than 2.8 million women and children, have been forced to flee the Syrian Arab Republic and that 12.2 million people in the Syrian Arab Republic, of whom 6.5 million are internally displaced, require urgent humanitarian assistance, which has resulted in an influx of Syrian refugees into neighbouring countries, other countries in the region and beyond, and alarmed at the risk the situation presents to regional and international stability,

Expressing its profound indignation at the death of many more than 10,000 children and the many more injured since the beginning of the peaceful protests in March 2011, and at all grave violations and abuses committed against children in

[18] S/2014/348.

contravention of applicable international law, such as their recruitment and use, killing and maiming, rape, attacks on schools and hospitals, as well as their arbitrary arrest, detention, torture, ill-treatment and their use as human shields,

Expressing its deep appreciation for the significant efforts that have been made by neighbouring countries and other countries in the region to accommodate Syrians, while acknowledging the increasing financial, socioeconomic and political impact of the presence of large-scale refugee and displaced populations in those countries, notably in Lebanon, Jordan, Turkey, Iraq, Egypt and Libya,

Welcoming the hosting by the Government of Kuwait of the First, Second and Third International Humanitarian Pledging Conferences for Syria, held on 30 January 2013, 15 January 2014 and 31 March 2015, and expressing its deep appreciation for the significant pledges of humanitarian assistance that have been made,

Welcoming also the efforts of the United Nations and the League of Arab States and all diplomatic efforts to achieve a political solution to the Syrian crisis based on the Geneva communiqué of 30 June 2012,[19] and expressing its full support for the Special Envoy of the Secretary-General for Syria, Staffan de Mistura,

Expressing its regret that the parties to the conflict in the Syrian Arab Republic, in particular the Syrian authorities, have failed to take advantage of the opportunities to achieve a political solution and form a transitional government with full executive powers based on the Geneva communiqué of 30 June 2012,

1. *Strongly condemns* all violations and abuses of international human rights law and all violations of international humanitarian law committed against the civilian population, in particular all indiscriminate attacks, including the use of barrel bombs in civilian areas and against civilian infrastructure, and demands that all parties immediately demilitarize medical facilities and schools and comply with their obligations under international law;

2. *Deplores and condemns in the strongest terms* the continued armed violence by the Syrian authorities against its own people since the beginning of the peaceful protests in 2011, and demands that the Syrian authorities immediately put an end to all indiscriminate attacks in civilian areas and public spaces, including those involving the use of terror tactics, airstrikes, barrel and vacuum bombs, chemical weapons and heavy artillery;

3. *Also deplores and condemns in the strongest terms* the continued widespread and systematic gross violations of human rights and fundamental freedoms and all violations of international humanitarian law by the Syrian authorities, the Government-affiliated *shabbiha* militias and those who fight on their behalf, including those violations involving the use of heavy weapons, aerial bombardments, cluster munitions, ballistic missiles, barrel bombs, chemical weapons and other force against civilians, as well as the starvation of the civilian population as a method of combat, attacks on schools, hospitals and places of worship, massacres, arbitrary executions, extrajudicial killings, the killing and persecution of peaceful protestors, human rights defenders and journalists, arbitrary detention, enforced disappearances, violations of women's and children's rights, unlawful interference with access to medical treatment, failure to respect and

[19] Security Council resolution 2118 (2013), annex II.

protect medical personnel, torture, systematic sexual and gender-based violence, including rape in detention, and ill-treatment;

4. *Strongly condemns* all human rights abuses or violations of international humanitarian law by armed extremists, as well as any human rights abuses or violations of international humanitarian law by armed anti-Government groups;

5. *Deplores and strongly condemns* the terrorist acts and violence committed against civilians by so-called ISIL (Daesh) and Al-Nusrah Front and their continued gross, systematic and widespread abuses of human rights and violations of international humanitarian law, and reaffirms that terrorism, including the actions of so-called ISIL (Daesh), cannot and should not be associated with any religion, nationality or civilization;

6. *Condemns in the strongest terms* the gross and systematic abuse of women's and children's rights by so-called ISIL (Daesh), in particular the enslavement and sexual abuse of women and girls, the forced recruitment, use and abduction of children;

7. *Reminds* the Government of the Syrian Arab Republic of its obligations under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[20] including to take effective measures to prevent acts of torture in any territory under its jurisdiction, and calls upon all States parties to the Convention to comply with any relevant obligations under the Convention, including with respect to the extradite or prosecute principle contained in article 7 of the Convention;

8. *Strongly condemns* the reported persistent and widespread use of sexual violence, abuse and exploitation, including in government detention centres, including those run by the intelligence agencies, and notes that such acts may constitute violations of international humanitarian law and international human rights law, and in this regard expresses deep concern at the prevailing climate of impunity for sexual violence crimes;

9. *Also strongly condemns* all violations and abuses committed against children in contravention of applicable international law, such as their recruitment and use, killing and maiming, rape and all other forms of sexual violence, abductions, denial of humanitarian access, and attacks on schools and hospitals, as well as their arbitrary arrest, detention, torture, ill treatment and their use as human shields;

10. *Recalls* the statement made by the Chair of the Independent International Commission of Inquiry on the Syrian Arab Republic on 21 September 2015 that the Syrian authorities remain responsible for the majority of the civilian casualties, killing and maiming scores of civilians daily, reiterates its decision to transmit the reports of the Commission of Inquiry to the Security Council, expresses its appreciation to the Commission of Inquiry for its briefings to members of the Security Council, and recommends the continuation of such briefings;

11. *Reaffirms* the Syrian authorities' responsibility for enforced disappearances, takes note of the assessment of the Commission of Inquiry that the Syrian authorities' use of enforced disappearances amounts to a crime against

[20] United Nations, *Treaty Series*, vol. 1465, No. 24841.

humanity, and condemns the targeted disappearances of young men, following Government-brokered ceasefires;

12. *Demands* that the Syrian authorities cooperate fully with the Commission of Inquiry, including by granting it immediate, full and unfettered access throughout the Syrian Arab Republic;

13. *Also demands* that the Syrian authorities meet their responsibilities to protect the Syrian population;

14. *Strongly condemns* the intervention in the Syrian Arab Republic of all foreign terrorist fighters and those foreign organizations and foreign forces fighting on behalf of the Syrian regime, particularly the Al-Quds Brigades, the Islamic Revolutionary Guard Corps and militia groups, such as Hizbullah, Asa'ib Ahl al-Haq, and Liwa' Abu al-Fadl al-Abbas, and expresses deep concern that their involvement further exacerbates the deteriorating situation in the Syrian Arab Republic, including the human rights and humanitarian situation, which has a serious negative impact on the region;

15. *Also strongly condemns* all attacks against the Syrian moderate opposition and calls for their immediate cessation, given that such attacks benefit so-called ISIL (Daesh) and other terrorist groups, such as Al-Nusrah Front, and contribute to a further deterioration of the humanitarian situation;

16. *Demands* that all foreign terrorist fighters, including those who are fighting in support of the Syrian authorities, immediately withdraw from the Syrian Arab Republic;

17. *Also demands* that all parties immediately put an end to all violations and abuses of international human rights law and violations of international humanitarian law, recalls, in particular, the obligation under international humanitarian law to distinguish between civilians and combatants and the prohibition against indiscriminate and disproportionate attacks and all attacks against civilians and civilian objects, further demands that all parties to the conflict take all appropriate steps to protect civilians, in compliance with international law, including by desisting from attacks directed against civilian objects, such as medical centres, schools and water stations, immediately demilitarize such facilities, avoid establishing military positions in populated areas and enable the evacuation of the wounded and all civilians who wish to leave besieged areas, and recalls in this regard that the Syrian authorities bear primary responsibility for protecting its population;

18. *Condemns in the strongest terms* the increasing number of massacres and other mass casualty incidents, including those which may constitute a war crime, taking place in the Syrian Arab Republic, including the outrageous attack in Douma by the Syrian regime that struck a busy marketplace on 16 August 2015, when at least 111 civilians were killed, including women and children, and requests the Commission of Inquiry to continue to investigate all such acts;

19. *Recalls* the statements made by the Special Envoy of the Secretary-General for Syria, Staffan de Mistura, indicating that the overwhelming majority of the civilian casualties in the Syrian Arab Republic have been caused by the indiscriminate use of aerial bombardments, demands in this regard that the Syrian authorities immediately cease any attacks on civilians, any disproportionate attacks

and any indiscriminate use of weapons in populated areas, including any indiscriminate use of weapons involving shelling and aerial bombardment, in particular the use of barrel bombs and methods of warfare which are of a nature to cause superfluous injury or unnecessary suffering, and recalls in this regard the obligation to respect international humanitarian law in all circumstances;

20. *Stresses* the need to promote accountability for those responsible for the unlawful killing of civilians, and also stresses the importance of holding to account those responsible for all violations of international humanitarian law and international human rights law;

21. *Condemns* the reported forced displacement of the population in the Syrian Arab Republic and the alarming impact on the demography of the country, and calls upon all parties concerned to immediately cease all activities related to these actions, including any activities that may amount to crimes against humanity;

22. *Deplores* the deteriorating humanitarian situation in the Syrian Arab Republic and urges the international community to assume its responsibility for providing urgent financial support to enable the host countries to respond to the growing humanitarian needs of Syrian refugees, while emphasizing the principle of burden-sharing;

23. *Strongly condemns* the intentional denial of humanitarian assistance to civilians, from whatever quarter, and in particular the denial of medical assistance and the withdrawal of water and sanitation services to civilian areas, which has recently worsened, stressing that the starvation of civilians as a method of combat is prohibited under international law, noting especially the primary responsibility of the Government of the Syrian Arab Republic in this regard, and deplores the deteriorating humanitarian situation;

24. *Demands* that the Syrian authorities and all other parties to the conflict do not hinder the full, immediate and safe access of the United Nations and humanitarian actors, including to besieged and hard-to-reach areas, consistent with Security Council resolutions 2139 (2014), 2165 (2014) and 2191 (2014);

25. *Strongly condemns* practices including abduction, hostage-taking, incommunicado detention, torture, the brutal murder of innocent civilians and summary executions carried out by non-State armed groups and terrorist groups, most notably ISIL (Daesh) and Al-Nusrah Front, and underlines that such acts may amount to crimes against humanity;

26. *Deplores* the suffering and torture in detention centres throughout the Syrian Arab Republic, as depicted in the reports of the Commission of Inquiry and the Office of the United Nations High Commissioner for Human Rights, as well as in the evidence presented by "Caesar" in January 2014, demands that the Syrian authorities immediately release all persons arbitrarily detained and ensure that detention conditions are consistent with international law, and calls upon the Syrian authorities to publish a list of all detention facilities;

27. *Demands* that the Syrian authorities, ISIL (Daesh), Al-Nusrah Front and all other groups halt the arbitrary detention of civilians and release all detained civilians;

28. *Calls for* the appropriate international monitoring bodies to be granted access to detainees in government prisons and detention centres, including all military facilities referred to in the reports of the Commission of Inquiry;

29. *Strongly condemns* the use of chemical weapons and all indiscriminate methods of warfare in the Syrian Arab Republic, which is prohibited under international law, and notes with grave concern the Commission of Inquiry's findings that the Syrian authorities have repeatedly used chlorine gas as an illegal weapon, which constitutes a violation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction[21] and is prohibited under international law;

30. *Welcomes* the unanimous adoption of Security Council resolution 2235 (2015), in which the Council established an Organization for the Prohibition of Chemical Weapons-United Nations joint investigative mechanism to identify those involved in certain uses of toxic chemicals as weapons in the Syrian Arab Republic, and emphasizes the need to hold those responsible to account;

31. *Demands* that the Syrian Arab Republic respect fully its obligations under the Chemical Weapons Convention, the decision of 27 September 2013 of the Executive Council of the Organization for the Prohibition of Chemical Weapons,[22] and Security Council resolutions 2118 (2013) and 2235 (2015) requiring it to declare its programme in full and eliminate it in its entirety;

32. *Also demands* that all parties take all appropriate steps to protect civilians, including members of ethnic, religious and confessional communities, and stresses that, in this regard, the primary responsibility to protect its population lies with the Syrian authorities;

33. *Strongly condemns* the damage and destruction of the cultural heritage of the Syrian Arab Republic, as well as the organized looting and trafficking of its cultural property, as outlined by the Security Council in its resolution 2199 (2015) of 12 February 2015;

34. *Emphasizes* the need to ensure that all those responsible for violations of international humanitarian law or violations and abuses of human rights law are held to account through appropriate fair and independent domestic or international, criminal justice mechanisms in accordance with the principle of complementarity, and stresses the need to pursue practical steps towards this goal, and for this reason encourages the Security Council to take appropriate action to ensure accountability, noting the important role that the International Criminal Court can play in this regard;

35. *Welcomes* the efforts of those countries outside the region that have put in place measures and policies to assist and host Syrian refugees, encourages them to do more, and encourages other States outside the region to consider also implementing similar measures and policies, with a view to providing Syrian refugees with protection and humanitarian assistance;

36. *Urges* the international community, including all donors, to provide urgent financial support to enable the host countries to respond to the growing

[21] Ibid., vol. 1974, No. 33757.

[22] Security Council resolution 2118 (2013), annex I.

humanitarian needs of Syrian refugees, while emphasizing the principle of burden-sharing;

37. *Calls upon* all members of the international community, including all donors, to fulfil their previous pledges and continue to provide much-needed support to the United Nations, the specialized agencies and other humanitarian actors to provide humanitarian assistance to the millions of Syrians displaced both internally and in host countries;

38. *Urges* all Syrian parties to the conflict to take all appropriate steps to ensure the safety and security of United Nations and associated personnel, personnel of the specialized agencies and all other personnel engaged in humanitarian relief activities as required by international humanitarian law, without prejudice to their freedom of movement and access, stresses the need not to impede or hinder these efforts, recalls that attacks on humanitarian workers may amount to war crimes, and notes in this regard that the Security Council reaffirmed in its resolution 2191 (2014) that it will take further measures in the event of non-compliance with resolutions 2139 (2014), 2165 (2014) or 2191 (2014) by any Syrian party;

39. *Calls upon* the international community to support the leadership and full participation of women in all efforts aimed at finding a political solution to the Syrian crisis, as envisaged by the Security Council in its resolutions 1325 (2000) of 31 October 2000, 2122 (2013) of 18 October 2013 and 2242 (2015) of 13 October 2015;

40. *Reaffirms its commitment* to international efforts to find a political solution to the Syrian crisis that meets the legitimate aspirations of the Syrian people for a civil, democratic and pluralistic State, with the full and effective participation of women, and where there is no room for sectarianism or discrimination on ethnic, religious, linguistic, gender or any other grounds, and demands that all parties work urgently towards the comprehensive implementation of the Geneva communiqué,[20] aiming at bringing an end to all violence, violations and abuses of human rights and violations of international humanitarian law and the launching of a Syrian-led political process leading to a political transition that meets the legitimate aspirations of the Syrian people and enables them independently and democratically to determine their future, including through the establishment of an inclusive transitional governing body with full executive powers, which shall be formed on the basis of mutual consent while ensuring the continuity of governmental institutions;

41. *Requests* the Secretary-General to report on the implementation of the present resolution by the Syrian authorities within 45 days of its adoption.

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Third Committee

Agenda item 72 (b)

Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Argentina, Armenia, Australia, Austria, Belgium, Bulgaria, Cabo Verde, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Italy, Jordan, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Morocco, Netherlands, Norway, Panama, Paraguay, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Tunisia, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The safety of journalists and the issue of impunity

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights,[1] and recalling relevant international human rights treaties, including the International Covenant on Civil and Political Rights[2] and the International Convention for the Protection of All Persons from Enforced Disappearance,[3] as well as the Geneva Conventions of 12 August 1949[4] and the Additional Protocols thereto,[5]

Recalling its resolution 68/163 of 18 December 2013 on the safety of journalists and the issue of impunity, in which it proclaimed 2 November as the International Day to End Impunity for Crimes against Journalists, as well as its resolution 69/185 of 18 December 2014 on the same issue,

[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex.
[3] Resolution 61/177, annex.
[4] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.
[5] Ibid., vol. 1125, Nos. 17512 and 17513.

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Welcoming the latest report of the Secretary-General on the safety of journalists and the issue of impunity,[6] and recalling his previous report on this topic,[7]

Taking note with appreciation of the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity, endorsed by the United Nations System Chief Executives Board for Coordination on 12 April 2012, in which United Nations agencies, funds and programmes were invited to work with Member States towards a free and safe environment for journalists and media workers in both conflict and non-conflict situations, with a view to strengthening peace, democracy and development worldwide,

Recalling Human Rights Council resolutions 21/12 of 27 September 2012[8] and 27/5 of 25 September 2014[9] on the safety of journalists, 26/13 of 14 July 2014 on the promotion, protection and enjoyment of human rights on the Internet[10] and 27/12 of 25 September 2014 on the World Programme for Human Rights Education,[9] as well as Security Council resolutions 1738 (2006) of 23 December 2006 and 2222 (2015) of 27 May 2015,

Recalling the panel discussion of the Human Rights Council on the issue of the safety of journalists, held on 11 June 2014, and the summary report of the Office of the United Nations High Commissioner for Human Rights thereon, submitted to the Council at its twenty-seventh session,[11] and taking note with appreciation of the 2015 publication of the United Nations Educational, Scientific and Cultural Organization entitled *World Trends in Freedom of Expression and Media Development*,

Taking note of all relevant reports of the special procedures of the Human Rights Council with regard to the safety of journalists, as well as reports of the Special Rapporteurs on the promotion and protection of the right to freedom of opinion and expression[12] and on extrajudicial, summary or arbitrary executions[13] submitted to the Council at its twenty-ninth session and the interactive dialogue thereon,

Commending the role and the activities of the Office of the United Nations High Commissioner for Human Rights and the United Nations Educational, Scientific and Cultural Organization with regard to the safety of journalists and the issue of impunity, and their facilitation of the commemoration of the International Day to End Impunity for Crimes against Journalists, in consultation with relevant entities within the United Nations system, Governments and relevant stakeholders,

Taking note with appreciation of the report of the Office of the High Commissioner for Human Rights on good practices concerning the safety of

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[6] A/70/290.

[7] A/69/268.

[8] *Official Records of the General Assembly, Sixty-seventh Session, Supplement No. 53A* (A/67/53/Add.1), chap. III.

[9] Ibid., *Sixty-ninth Session, Supplement No. 53A* and corrigenda (A/69/53/Add.1 and Corr.1 and 2), chap. IV, sect. A.

[10] Ibid., *Sixty-ninth Session, Supplement No. 53* (A/69/53), chap. V, sect. A.

[11] A/HRC/27/35.

[12] A/HRC/29/32.

[13] A/HRC/29/37 and Adds.1-7.

journalists,[14] submitted to the Human Rights Council at its twenty-fourth session, as well as its report on the right to privacy in the digital age, submitted to the Council at its twenty-seventh session,[15]

Mindful that the right to freedom of opinion and expression is a human right guaranteed to all, in accordance with article 19 of the Universal Declaration of Human Rights and of the International Covenant on Civil and Political Rights, and that it constitutes one of the essential foundations of a democratic society and one of the basic conditions for its progress and development,

Acknowledging that journalism is continuously evolving to include inputs from media institutions, private individuals and a range of organizations that seek, receive and impart information and ideas of all kinds, online as well as offline, in the exercise of freedom of opinion and expression, in accordance with article 19 of the International Covenant on Civil and Political Rights, thereby contributing to the shaping of public debate,

Recognizing the importance of freedom of expression and of free media, online as well as offline, in building inclusive and peaceful knowledge societies and democracies and in fostering intercultural dialogue, peace and good governance, as well as understanding and cooperation,

Recognizing also that the work of journalists often puts them at specific risk of intimidation, harassment and violence,

Noting the good practices of different countries aimed at the protection of journalists, as well as, inter alia, those designed for the protection of human rights defenders that can, where applicable, be relevant to the protection of journalists,

Recognizing that the number of people whose lives are influenced by the way information is presented is significant and that journalism influences public opinion,

Bearing in mind that impunity for attacks against journalists remains one of the greatest challenges to the safety of journalists and that ensuring accountability for crimes committed against journalists is a key element in preventing future attacks,

Recalling in this regard that journalists and media workers engaged in dangerous professional missions in areas of armed conflict shall be considered as civilians and shall be respected and protected as such, provided that they take no action adversely affecting their status as civilians,

Deeply concerned by all human rights violations and abuses committed in relation to the safety of journalists and media workers, including killing, torture, enforced disappearance, arbitrary arrest and arbitrary detention, expulsion, intimidation, harassment, threats and other forms of violence,

Expressing deep concern at the increased number of journalists and media workers who have been killed, tortured or detained in recent years as a direct result of their profession,

Expressing deep concern also at the growing threat to the safety of journalists posed by non-State actors, including terrorist groups and criminal organizations,

[14] A/HRC/24/23.
[15] A/HRC/27/37.

Acknowledging the specific risks faced by women journalists in the exercise of their work, and underlining, in this context, the importance of taking a gender-sensitive approach when considering measures to address the safety of journalists,

Acknowledging also the particular vulnerability of journalists to becoming targets of unlawful or arbitrary surveillance or interception of communications in violation of their rights to privacy and to freedom of expression,

1. *Condemns unequivocally* all attacks and violence against journalists and media workers, such as torture, killings, including extrajudicial killings, enforced disappearances, arbitrary arrest and arbitrary detention, as well as intimidation and harassment in both conflict and non-conflict situations;

2. *Strongly condemns* the prevailing impunity for attacks and violence against journalists, and expresses grave concern that the vast majority of these crimes go unpunished, which in turn contributes to the recurrence of these crimes;

3. *Calls upon* States to implement more effectively their obligations and commitments under international law to protect journalists and media workers in order to combat the pervasive impunity, including through enforcement mechanisms with the capacity to pay systematic attention to the safety of journalists and media workers;

4. *Urges* the immediate and unconditional release of journalists and media workers who have been taken as hostages or who have become victims of enforced disappearances;

5. *Calls upon* all States to pay particular attention to the safety of journalists and media workers covering protests, taking into account their specific role, exposure and vulnerability;

6. *Encourages* States to take the opportunity of the proclamation of 2 November as the International Day to End Impunity for Crimes against Journalists to raise awareness regarding the issue of the safety of journalists and to launch concrete initiatives in this regard;

7. *Also encourages* States to review and, where necessary, consider amending laws, policies and practices that limit the ability of journalists to perform their work independently and without undue interference and to bring such laws, policies and practices fully in line with their obligations under international law;

8. *Requests* the United Nations Educational, Scientific and Cultural Organization, in consultation with relevant entities of the United Nations system, and mindful of the provisions of the annex to Economic and Social Council resolution 1980/67 of 25 July 1980, to continue facilitating the implementation of the International Day in collaboration with Governments and relevant stakeholders;

9. *Urges* Member States to do their utmost to prevent violence, threats and attacks against journalists and media workers, to ensure accountability through the conduct of impartial, speedy, thorough, independent and effective investigations into all alleged violence, threats and attacks against journalists and media workers falling within their jurisdiction, to bring perpetrators, including those who command, conspire to commit, aid and abet or cover up such crimes to justice, and to ensure that victims and their families have access to appropriate remedies;

10. *Calls upon* States to create and maintain, in law and in practice, a safe and enabling environment for journalists to perform their work independently and without undue interference, including by means of: (a) legislative measures; (b) supporting the judiciary in considering training and awareness-raising and training among law enforcement officers and military personnel, as well as among journalists and civil society, regarding international human rights and humanitarian law obligations and commitments relating to the safety of journalists; (c) the regular monitoring and reporting of attacks against journalists; (d) publicly and systematically condemning violence and attacks; and (e) dedicating the resources necessary to investigate and prosecute such attacks and to develop and implement strategies for combating impunity for attacks and violence against journalists, including by using, where appropriate, good practices such as those identified in Human Rights Council resolution 27/5 of 25 September 2014;[9]

11. *Also calls upon* States to ensure that measures to combat terrorism and preserve national security are in compliance with their obligations under international law, in particular under international human rights law, and do not arbitrarily hinder the work and safety of journalists;

12. *Stresses* the need to ensure better cooperation and coordination at the international and regional levels, including through technical assistance and capacity-building to ensure that the safety of journalists is improved at national and local levels;

13. *Calls upon* States to cooperate with relevant United Nations entities, in particular the United Nations Educational, Scientific and Cultural Organization, as well as international and regional human rights mechanisms, including the relevant special procedures of the Human Rights Council, and to share information on a voluntary basis on the status of investigations into attacks and violence against journalists;

14. *Invites* the relevant agencies, organizations, funds and programmes of the United Nations system to actively exchange information, including through already identified focal points, about the implementation of the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity, in cooperation with Member States and under the overall coordination of the United Nations Educational, Scientific and Cultural Organization;

15. *Requests* the Secretary-General to report to the General Assembly at its seventy-second session and to the Human Rights Council at its thirty-seventh session on the safety of journalists and the issue of impunity.

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Agenda item 72 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Argentina, Armenia, Australia, Austria, Belgium, Bulgaria, Chile, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Montenegro, Morocco, Netherlands, Paraguay, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, the former Yugoslav Republic of Macedonia and Tunisia: draft resolution

National institutions for the promotion and protection of human rights

The General Assembly,

Recalling its previous resolutions on national institutions for the promotion and protection of human rights, the most recent of which was resolution 68/171 of 18 December 2013, and those of the Commission on Human Rights and the Human Rights Council concerning national institutions and their role in the promotion and protection of human rights, the most recent of which were Council resolutions 20/14 of 5 July 2012,[1] 23/17 of 13 June 2013[2] and 27/18 of 7 October 2014,[3]

Welcoming the rapidly growing interest throughout the world in the creation and strengthening of independent, pluralistic national institutions for the promotion and protection of human rights,

Recalling the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles),[4]

[1] See *Official Records of the General Assembly, Sixty-seventh Session, Supplement No. 53* and corrigendum (A/67/53 and Corr.1), chap. IV, sect. A.
[2] Ibid., *Sixty-eighth Session, Supplement No. 53* (A/68/53), chap. V, sect. A.
[3] Ibid., *Sixty-ninth Session, Supplement No. 53*, addendum and corrigenda (A/69/53/Add.1 and Corr.1 and 2), chap. II.
[4] Resolution 48/134, annex.

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Reaffirming the important role that such national institutions play and will continue to play in promoting and protecting human rights and fundamental freedoms, strengthening participation, in particular of civil society organizations, promoting the rule of law and developing and enhancing public awareness of those rights and freedoms,

Recalling its resolution 69/168 of 18 December 2014 on the role of the Ombudsman, mediator and other national human rights institutions in the promotion and protection of human rights,

Recognizing the important role of the United Nations, in particular the Office of the United Nations High Commissioner for Human Rights, in assisting the development of independent and effective national human rights institutions, guided by the Paris Principles, and recognizing also in this regard the potential for strengthened and complementary cooperation among the United Nations, the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights and those national institutions in the promotion and protection of human rights,

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[5] which reaffirmed the important and constructive role played by national human rights institutions, in particular in their advisory capacity to the competent authorities and their role in preventing and remedying human rights violations, in disseminating information on human rights and in education in human rights,

Reaffirming that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing and that all human rights must be treated in a fair and equal manner, on the same footing and with the same emphasis,

Bearing in mind the significance of national and regional particularities and various historical, cultural and religious backgrounds, and that all States, regardless of their political, economic and cultural systems, have the duty to promote and protect all human rights and fundamental freedoms,

Recalling the programme of action adopted by national institutions for the promotion and protection of human rights at their meeting held in Vienna in June 1993 during the World Conference on Human Rights, in which it was recommended that United Nations activities and programmes should be reinforced to meet the requests for assistance from States wishing to establish or strengthen their national institutions for the promotion and protection of human rights,

Taking note with appreciation of the reports of the Secretary-General on national institutions for the promotion and protection of human rights[6] and on the process currently utilized by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights to accredit national institutions in compliance with the Paris Principles,[7]

Welcoming the strengthening in all regions of regional cooperation among national human rights institutions, and noting with appreciation the continuing work of the Network of African National Human Rights Institutions, the Network of

[5] A/CONF.157/24 (Part I), chap. III.
[6] A/HRC/27/39.
[7] A/HRC/16/77.

National Institutions for the Promotion and Protection of Human Rights in the Americas, the Asia-Pacific Forum of National Human Rights Institutions and the European Group of National Human Rights Institutions,

1. *Welcomes* the report of the Secretary-General[8] and the conclusions contained therein;

2. *Reaffirms* the importance of the development of effective, independent and pluralistic national institutions for the promotion and protection of human rights, in accordance with the Paris Principles;[4]

3. *Recognizes* the role of independent national institutions for the promotion and protection of human rights in working together with Governments to ensure full respect for human rights at the national level, including by contributing to follow-up actions, as appropriate, to the recommendations resulting from the international human rights mechanisms;

4. *Welcomes* the increasingly important role of national institutions for the promotion and protection of human rights in supporting cooperation between their Governments and the United Nations in the promotion and protection of human rights;

5. *Underlines* the value of national human rights institutions, established and operating in accordance with the Paris Principles, in the continued monitoring of existing legislation and in consistently informing the State about the impact of such legislation on the activities of human rights defenders, including by making relevant and concrete recommendations;

6. *Recognizes* the role that national human rights institutions can play in preventing and addressing cases of reprisals as part of supporting the cooperation between their Governments and the United Nations in the promotion of human rights, including by contributing to follow-up actions, as appropriate, to recommendations made by international human rights mechanisms;

7. *Also recognizes* that, in accordance with the Vienna Declaration and Programme of Action,[5] it is the right of each State to choose the framework for national institutions that is best suited to its particular needs at the national level in order to promote human rights in accordance with international human rights standards;

8. *Encourages* Member States to establish effective, independent and pluralistic national institutions or, where they already exist, to strengthen them for the promotion and protection of all human rights and fundamental freedoms for all, as outlined in the Vienna Declaration and Programme of Action;

9. *Welcomes* the growing number of States establishing or considering the establishment of national institutions for the promotion and protection of human rights, and welcomes in particular the growing number of States that have accepted recommendations to establish national institutions compliant with the Paris Principles made through the universal periodic review and, where relevant, by treaty bodies and special procedures;

[8] A/70/347.

10. *Encourages* national institutions for the promotion and protection of human rights established by Member States to continue to play an active role in preventing and combating all violations of human rights as enumerated in the Vienna Declaration and Programme of Action and relevant international instruments;

11. *Stresses* that national human rights institutions and their respective members and staff should not face any form of reprisal or intimidation, including political pressure, physical intimidation, harassment or unjustifiable budgetary limitations, as a result of activities undertaken in accordance with their respective mandates, including when taking up individual cases or when reporting on serious or systematic violations in their countries, and calls upon States to promptly and thoroughly investigate cases of alleged reprisal or intimidation against members or staff of national human rights institutions or against individuals who cooperate or seek to cooperate with them;

12. *Recognizes* the role played by national institutions for the promotion and protection of human rights in the Human Rights Council, including its universal periodic review mechanism, in both preparation and follow-up, and the special procedures, as well as in the human rights treaty bodies, in accordance with Council resolutions 5/1 and 5/2 of 18 June 2007[9] and Commission on Human Rights resolution 2005/74 of 20 April 2005;[10]

13. *Welcomes* the strengthening of opportunities for national human rights institutions compliant with the Paris Principles to contribute to the work of the Human Rights Council, as stipulated in the Council review outcome document annexed to Council resolution 16/21 of 25 March 2011[11] adopted by the General Assembly in its resolution 65/281 of 17 June 2011, and welcomes the increasing use made by national human rights institutions of these participatory opportunities;

14. *Also welcomes* the contribution of national human rights institutions compliant with the Paris Principles to the work of the United Nations, including of the Commission on the Status of Women, the Conference of States Parties to the Convention on the Rights of Persons with Disabilities, the Open-ended Working Group on Ageing and the intergovernmental process of the General Assembly on strengthening and enhancing the effective functioning of the human rights treaty body system;

15. *Encourages* national human rights institutions compliant with the Paris Principles to continue to participate in and to contribute to deliberations in all relevant United Nations mechanisms and processes in accordance with their respective mandates, including the discussions on the implementation of the 2030 Agenda for Sustainable Development;[12]

16. *Encourages* all relevant United Nations mechanisms and processes, in accordance with their respective mandates, including the Commission on the Status

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[9] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 53* (A/62/53), chap. IV, sect. A.

[10] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* and corrigenda (E/2005/23 and Corr.1 and 2), chap. II, sect. A.

[11] See *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 53* (A/66/53), chap. II, sect. A.

[12] Resolution 70/1.

of Women, the Conference of State Parties to the Convention on the Rights of Persons with Disabilities, the Open-ended Working Group on Ageing and the 2030 Agenda for Sustainable Development, including the high-level political forum, to further develop modalities that allow for the national human rights institutions compliant with the Paris Principles to continue to participate in and contribute to the deliberations of these United Nations mechanisms and processes, building on practices and arrangements agreed upon in Assembly resolution 60/251 of 15 March 2006, Human Rights Council resolutions 5/1, 5/2 and 16/21 and Commission on Human Rights resolution 2005/74;

17. *Invites* the human rights treaty bodies to provide for ways to ensure the highest degree of participation by national human rights institutions at all stages of their work;

18. *Requests* the Secretary-General to provide support to national human rights institutions compliant with the Paris Principles as they engage with relevant United Nations mechanisms and processes, with a view to enabling their most effective contributions, in order to further the implementation of international human rights obligations and commitments;

19. *Encourages* all United Nations human rights mechanisms and agencies, funds and programmes to work within their respective mandates with Member States and national institutions in the promotion and protection of human rights with respect to, inter alia, projects in the area of good governance and the rule of law, and in this regard welcomes the efforts made by the High Commissioner to develop partnerships in support of national institutions, including the tripartite partnership between the United Nations Development Programme, the Office of the High Commissioner and the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, and in this respect encourages all United Nations human rights mechanisms and agencies, funds and programmes to adopt suitable practical modalities of interaction with national human rights institutions, including facilitating their access to information and documentation;

20. *Stresses* the importance of the financial and administrative independence and stability of national human rights institutions for the promotion and protection of human rights, and notes with satisfaction the efforts of those States that have provided their national institutions with more autonomy and independence, including by giving them an investigative role or enhancing such a role, and encourages other Governments to consider taking similar steps;

21. *Urges* the Secretary-General to continue to give high priority to requests from Member States for assistance in the establishment and strengthening of national human rights institutions;

22. *Underlines* the importance of the autonomy and independence of ombudsman institutions, encourages increased cooperation between national human rights institutions and regional and international associations of ombudsmen, and also encourages ombudsman institutions to actively draw on the standards enumerated in international instruments and the Paris Principles to strengthen their independence and increase their capacity to act as national human rights protection mechanisms;

23. *Commends* the high priority given by the Office of the United Nations High Commissioner for Human Rights to work on national human rights institutions, encourages the High Commissioner, in view of the expanded activities relating to national institutions, to ensure that appropriate arrangements are made and budgetary resources provided to continue and further extend activities in support of national institutions, and invites Governments to contribute additional voluntary funds to that end;

24. *Welcomes* the important role played by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, in close cooperation with the Office of the High Commissioner, in assisting Governments, when requested, in the establishment and strengthening of national human rights institutions in accordance with the Paris Principles, in assessing the conformity of national human rights institutions with the Paris Principles and in providing technical assistance to strengthen national human rights institutions, upon request, with a view to enhancing their compliance with the Paris Principles, and calls upon Member States and other stakeholders, including United Nations agencies, to follow up on the recommendations of the Subcommittee on Accreditation of the International Coordinating Committee, with a view to enabling national human rights institutions to fully comply with the Paris Principles in both law and practice;

25. *Encourages* national institutions, including ombudsman and mediator institutions, to seek accreditation status through the International Coordinating Committee;

26. *Encourages* all Member States to take appropriate steps to promote the exchange of information and experience concerning the establishment and effective operation of national human rights institutions and to support the work of the International Coordinating Committee and its regional coordinating networks in this regard, including through support for the relevant technical assistance programmes of the Office of the High Commissioner;

27. *Requests* the Secretary-General to continue to provide the assistance necessary for holding international and regional meetings of national institutions, including meetings of the International Coordinating Committee, in cooperation with the Office of the High Commissioner;

28. *Also requests* the Secretary-General to report to the General Assembly at its seventy-second session on the implementation of the present resolution.

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Third Committee
Agenda item 72 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Argentina: draft resolution

Towards a multilateral legal instrument to promote and protect the human rights and dignity of older persons

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Guided also by the Universal Declaration of Human Rights,[1] the International Covenant on Economic, Social and Cultural Rights,[2] the International Covenant on Civil and Political Rights,[2] the Convention on the Elimination of All Forms of Discrimination against Women,[3] the Convention on the Rights of Persons with Disabilities[4] and other relevant human rights instruments,

Reaffirming the Vienna Declaration and Programme of Action,[5]

Recalling its resolution 57/167 of 18 December 2002, in which it endorsed the Political Declaration[6] and the Madrid International Plan of Action on Ageing, 2002,[7] its resolution 58/134 of 22 December 2003, in which it took note, inter alia, of the road map for the implementation of the Madrid Plan of Action, and its resolutions 60/135 of 16 December 2005, 61/142 of 19 December 2006, 62/130 of 18 December 2007, 63/151 of 18 December 2008, 64/132 of 18 December 2009, 65/182 of 21 December 2010, 66/127 of 19 December 2011, 67/139 and 67/143 of 20 December 2012, 68/134 of 18 December 2013 and 69/146 of 18 December 2014,

[1] Resolution 217 A (III).
[2] Resolution 2200 A (XXI), annex.
[3] United Nations, *Treaty Series*, vol. 1249, No. 20378.
[4] Ibid., vol. 2515, No. 44910.
[5] A/CONF.157/24 (Part I), chap. III.
[6] *Report of the Second World Assembly on Ageing, Madrid, 8-12 April 2002* (United Nations publication, Sales No. E.02.IV.4), chap. I, resolution 1, annex I.
[7] Ibid., annex II.

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Taking note with appreciation of the appointment by the Human Rights Council, by its resolution 24/20 of 27 September 2013, of the Independent Expert on the enjoyment of all human rights by older persons,[8]

Noting with appreciation the report of the Secretary-General on the follow-up to the International Year of Older Persons: Second World Assembly on Ageing[9] and the report of the United Nations High Commissioner for Human Rights on the human rights of older persons,[10]

Taking note with appreciation of the work of the Open-ended Working Group on Ageing,[11] and recognizing the positive contributions of Member States, as well as relevant bodies and organizations of the United Nations system, intergovernmental and relevant non-governmental organizations, national human rights institutions and invited panellists, during the first six working sessions of the Working Group,

Welcoming the important opportunity to further mainstream ageing issues provided by the adoption of the 2030 Agenda for Sustainable Development and its pledge that no one shall be left behind,[12]

Welcoming also the recent regional developments towards the effective protection and promotion of the human rights of older persons, such as the adoption of the Inter-American Convention on the Protection of Human Rights of Older Persons,

Noting that, between 2015 and 2030, the number of persons aged 60 years or over in the world is projected to grow by 56 per cent, from 901 million to 1.4 billion,[13] and recognizing that the increase in the number of older people will be the greatest and the most rapid in the developing world,

Recognizing the essential contribution that older men and women can make to the functioning of societies and to the achievement of the 2030 Agenda for Sustainable Development if adequate guarantees are in place,

Concerned at the multiple forms of discrimination that may affect older persons and at the high incidence of poverty among this particularly vulnerable group, especially older women, persons with disabilities, persons of African descent, indigenous peoples, persons belonging to national or ethnic, religious and linguistic minorities, rural persons, persons living on the streets and refugees, among other groups,

Recognizing that, at the international level, there are policies, standards and mechanisms aimed at protecting and promoting the rights of older persons, either in the form of generic or specific provisions, especially in the field of international labour law, as well as international human rights law, and that this leads to a context of regulatory dispersion, as a result of which the rights of older persons lack systematic protection,

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[8] See *Official Records of the General Assembly, Sixty-eighth Session, Supplement No. 53A* (A/68/53/Add.1), chap. III.

[9] A/70/185.

[10] E/2012/51.

[11] See A/AC.278/2015/2.

[12] See resolution 70/1, annex.

[13] See Department of Economic and Social Affairs, *World Population Ageing Prospects: The 2015 Revision, Key Findings and Advance Tables* (ESA/P/WP.241).

Recognizing also that the lack of a comprehensive and integrated international legal instrument to promote and protect the rights and dignity of the elderly has significant practical implications, given that:

(a) Existing regulations do not consolidate, let alone conceptualize, regulatory principles to guide public action and policies of Governments,

(b) General human rights standards do not consider the recognition of third generation-specific rights in favour of elderly adults,

(c) It is difficult to clarify the obligations of States with respect to older persons,

(d) Procedures for monitoring human rights treaties generally ignore older persons,

(e) Current instruments do not make the issues of ageing visible enough, precluding the education of the population, and with it the effective integration of the elderly,

Noting that the different efforts made to increase cooperation and integration and increasing awareness of and sensitivity to ageing issues since the adoption of the Madrid International Plan of Action on Ageing, 2002, by Governments, relevant bodies of the United Nations system and civil society, including non-governmental organizations and the private sector, have not been sufficient to promote full and effective participation by and opportunities for older persons in economic, social, cultural and political life,

Noting also that the situation of older persons presents a number of particular and urgent human rights challenges related to civil, cultural, economic, political and social rights, exacerbated by normative and operational gaps in protection, posing a set of issues that deserves in-depth analysis and regulation,

1. *Recognizes* the challenges related to the enjoyment of all human rights that older persons face, including in areas such as prevention of and protection against violence and abuse, social protection, food and housing, employment, legal capacity, access to justice, health support and long-term and palliative care, and that those challenges require in-depth analysis and action to address protection gaps;

2. *Acknowledges* that the major challenges faced by older persons undermine their social, economic and cultural participation and the full enjoyment of their human rights;

3. *Recognizes* that there is no binding international human rights instrument devoted to older persons and that current arrangements at the national and international level to protect the human rights of older persons are inadequate, and encourages Member States to explore alternative measures, including a new dedicated international instrument and the mainstreaming of the human rights of older persons throughout existing mechanisms, policies and programmes;

4. *Also recognizes* that the non-binding Madrid International Plan of Action on Ageing, 2002[7] remains the only international instrument devoted to older persons, and that while it has had a positive impact, this instrument does not provide a comprehensive human rights framework for older persons;

5. *Encourages* Governments to actively address, through national, regional and international efforts, issues that affect older persons and to ensure that the social integration of older persons and the promotion and protection of their human rights form an integral part of development policies at all levels;

6. *Invites* Member States to continue to share their national experiences in developing and implementing policies and programmes aimed at strengthening the promotion and protection of the human rights of older persons, including within the framework of the Open-ended Working Group on Ageing established by the General Assembly in paragraph 28 of its resolution 65/182;

7. *Recommends* that States parties to existing international human rights instruments, where appropriate, address the situation of older persons more explicitly in their reports, and encourages treaty body monitoring mechanisms and special procedures mandate holders, in accordance with their mandates, to pay more attention to the situation of older persons in their dialogue with Member States, in their consideration of reports and in their country missions;

8. *Encourages* Member States to ensure that older persons have access to information about their rights so as to enable them to participate fully and justly in their societies and to claim full enjoyment of all human rights;

9. *Invites* relevant bodies and organizations of the United Nations system, including relevant human rights mandate holders and treaty bodies and the regional commissions, as well as intergovernmental and relevant non-governmental organizations with an interest in the matter, to continue to make contributions to the work entrusted to the Open-ended Working Group, as appropriate;

10. *Calls upon* Member States to continue to contribute to the work of the Open-ended Working Group, in particular by presenting practical measures, best practices and lessons learned, as well as concrete proposals for a multilateral legal instrument to promote and protect the human rights and dignity of older persons, in order to enable the Open-ended Working Group to fulfil its mandate of strengthening the protection of the human rights of older persons;

11. *Requests* the Secretary-General to continue to provide all necessary support to the Open-ended Working Group, within existing resources, for the organization of a seventh working session, in 2016.

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Agenda item 72 (b)

Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Argentina, Armenia, Australia, Belgium, Denmark, Finland, Georgia, Iceland, Italy, Japan, Liechtenstein, Norway, Panama, Sweden and the former Yugoslav Republic of Macedonia: draft resolution

Protection of and assistance to internally displaced persons

The General Assembly,

Recalling that internally displaced persons are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border,[1]

Recognizing that internally displaced persons are to enjoy, in full equality, the same rights and freedoms under international and domestic law as do other persons in their country,

Deeply disturbed by the alarmingly high numbers of internally displaced persons throughout the world, for reasons including armed conflict, situations of generalized violence, violations of human rights, and natural and human-made disasters, who receive inadequate protection and assistance, and conscious of the serious challenges that this is creating for the international community,

Recognizing that natural disasters are a cause of internal displacement, and concerned about factors, such as climate change, that are expected to exacerbate the impact of natural hazards and climate-related events,

[1] See Guiding Principles on Internal Displacement (E/CN.4/1998/53/Add.2, annex, introduction, para. 2).

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Recognizing also that the risk of becoming displaced in relation to a disaster has doubled in the last four decades[2] and that the consequences of hazards can be prevented or substantially mitigated by integrating disaster risk reduction strategies into national development policies and programmes,

Conscious of the human rights, humanitarian and development dimensions, as well as the possible peacebuilding dimension, of internal displacement, including in long-term displacement situations, the often heightened vulnerability of women and children as well as of older persons and persons with disabilities, and the responsibilities of States and the international community to further strengthen their protection and assistance, with a view to finding durable solutions,

Emphasizing that States have the primary responsibility to provide protection and assistance to internally displaced persons within their jurisdiction, without discrimination, as well as to address the root causes of the displacement problem and support solutions in appropriate cooperation with the international community,

Reaffirming that all persons, including internally displaced persons, have the right to freedom of movement and residence and should be protected against arbitrary displacement,[3]

Noting the need for increased awareness on the part of the international community of the issue of internal displacement worldwide, including the situation of millions living in protracted situations of displacement for an estimated average of 17 years,[4] many of them outside camp settings and in urban areas, and the urgency of providing adequate humanitarian assistance to and ensuring the protection of internally displaced persons, including protection from landmines and other explosive remnants of war, and of supporting local host communities, addressing the root causes of displacement and obstacles to durable solutions for internally displaced persons in their countries and recognizing that durable solutions include voluntary return in safety and with dignity, as well as voluntary local integration in the areas to which persons have been displaced or voluntary settlement in another part of the country, without prejudice to the right of internally displaced persons to leave their country or to seek asylum,

Recalling the relevant norms of international law, including international human rights law, international humanitarian law and international refugee law, and recognizing that the protection of internally displaced persons has been strengthened by identifying, reaffirming and consolidating specific standards for their protection, in particular through the Guiding Principles on Internal Displacement,[5]

Recalling also the relevance of international humanitarian law, including the Geneva Conventions of 1949[6] and the Additional Protocols thereto of 1977,[7] as a vital legal framework for the protection of and assistance to civilians in armed conflict and under foreign occupation, including internally displaced persons,

Recognizing that, in armed conflict, displacement is very often caused by violations of the rules of international humanitarian law, and recalling that

[2] Internal Displacement Monitoring Centre, *Global Estimates 2015*.
[3] E/CN.4/1998/53/Add.2, annex, principle 6.
[4] S/2015/453, para. 5.
[5] E/CN.4/1998/53/Add.2, annex.
[6] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.
[7] Ibid., vol. 1125, Nos. 17512 and 17513.

displacement could often be prevented if parties to armed conflict respected these rules, including the prohibition of direct attacks on civilians and civilian objects and the prohibition of forced displacement of civilians for reasons related to the armed conflict, unless their security or imperative military reasons so demand,[8]

Welcoming the increasing dissemination, promotion, application and integration into domestic laws and policies of the Guiding Principles on Internal Displacement when dealing with situations of internal displacement,

Deploring practices of forced displacement and their negative consequences for the enjoyment of human rights and fundamental freedoms by large groups of populations, and recalling the relevant provisions of the Rome Statute of the International Criminal Court that define the deportation or forcible transfer of population as a crime against humanity and the unlawful deportation, transfer or ordering of the displacement of the civilian population as war crimes,[9]

Expressing its appreciation to those Governments and intergovernmental, regional and non-governmental organizations that have supported and facilitated the work of the Special Rapporteur of the Human Rights Council on the human rights of internally displaced persons, and of his predecessor, the former Representative of the Secretary-General on the human rights of internally displaced persons and which, according to their roles and responsibilities, have helped to provide protection and assistance to internally displaced persons,

Welcoming the continuing cooperation between the Special Rapporteur on the human rights of internally displaced persons and national Governments and the relevant offices and agencies of the United Nations as well as with other international and regional organizations, and encouraging further strengthening of this collaboration in order to promote better strategies for, protection of, assistance to and durable solutions for internally displaced persons,

Acknowledging with appreciation the important and independent contribution of the International Red Cross and Red Crescent Movement and other humanitarian agencies in protecting and assisting internally displaced persons, in cooperation with national Governments and relevant international bodies,

Welcoming the priorities set by the Special Rapporteur as contained in his report to the Human Rights Council at its sixteenth session[10] and the two strategic objectives of supporting Governments in developing national instruments on internal displacement and facilitating viable durable solutions for internally displaced persons, including through the engagement of development actors,

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[11] regarding the need to develop global strategies to address the problem of internal displacement, and recalling also all relevant resolutions of the General Assembly and the Security Council,

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[8] Ibid., vol. 1125, No. 17513, arts. 13 and 17.

[9] Ibid., vol. 2187, No. 38544, art. 7, paras. 1 (d) and 2 (d), and art. 8, paras. 2 (a) (vii) and 2 (e) (viii).

[10] A/HRC/16/43.

[11] A/CONF.157/24 (Part I), chap. III.

Recalling also its resolution 68/180 of 18 December 2013 and Human Rights Council resolution 23/8 of 13 June 2013,[12]

1. *Takes note with appreciation* of the report of the Special Rapporteur of the Human Rights Council on the human rights of internally displaced persons[13] and the conclusions and recommendations contained therein;

2. *Commends* the Special Rapporteur for the activities undertaken so far, for the catalytic role that he plays in raising the level of awareness about the plight of internally displaced persons and for his ongoing efforts to address their development and other specific needs, including through the mainstreaming of the human rights of internally displaced persons into all relevant parts of the United Nations system;

3. *Encourages* the Special Rapporteur, through continuous dialogue with Governments and all intergovernmental and non-governmental organizations concerned, to continue his analysis of the root causes of internal displacement and of the needs and human rights of those displaced, measures of prevention, including early warning, and ways to strengthen protection and assistance, as well as durable solutions for internally displaced persons, and, in the latter regard, to use the Framework on Durable Solutions for Internally Displaced Persons of the Inter-Agency Standing Committee[14] in his activities, and also encourages the Special Rapporteur to continue to promote comprehensive strategies, taking into account the primary responsibility of States for the protection of and assistance to internally displaced persons within their jurisdiction;

4. *Recognizes* the adverse effects of climate change as contributors to environmental degradation and extreme weather events, which may, among other factors, contribute to human displacement, and encourages the Special Rapporteur, in close collaboration with States and intergovernmental and non-governmental organizations, to continue to explore the human rights implications and dimensions of disaster-induced internal displacement, with a view to supporting Member States in their efforts to build local resilience and capacity to prevent displacement or to provide assistance and protection to those who are forced to flee;

5. *Also recognizes* that internal displacement is not only a humanitarian but also a development challenge, calls upon States to address obstacles to durable solutions and to include the needs, vulnerabilities and capacities of internally displaced persons in their national development plans, and in this regard welcomes the report of the Special Rapporteur on the post-2015 development agenda to the Human Rights Council;[15]

6. *Requests* Member States to strengthen their efforts to ensure better protection of and assistance to internally displaced persons, in particular to address the long-term nature of displacement, by adopting and implementing policies and strategies in accordance with national and regional frameworks, while recognizing the Guiding Principles on Internal Displacement[5] as an important international framework for the protection of internally displaced persons;

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[12] See *Official Records of the General Assembly, Sixty-eighth Session, Supplement No. 53* (A/68/53), chap. V, sect. A.

[13] A/70/334.

[14] A/HRC/13/21/Add.4.

[15] A/HRC/29/34.

7. *Encourages* strengthened international cooperation, in particular between humanitarian and development actors, including through the provision of resources, coherent multi-year programming that addresses long-term displacement and expertise to assist affected countries, in particular developing countries, in their national efforts and policies related to assistance, protection and rehabilitation for internally displaced persons and the integration of the human rights and needs of internally displaced persons into both rural and urban development strategies, as well as the participation of both internally displaced persons and host communities in the design and implementation of those strategies;

8. *Recognizes* that Member States have the primary responsibility to promote durable solutions for their internally displaced persons, thus contributing to their national, economic and social development processes, and encourages the international community, the United Nations system, the Special Rapporteur, relevant international and regional organizations and donor countries to continue to support international, regional and national efforts to meet the needs of internally displaced persons on the basis of solidarity, the principles of international cooperation and the Guiding Principles on Internal Displacement, to ensure that humanitarian assistance, early recovery and development assistance efforts are appropriately funded;

9. *Welcomes* the initiatives undertaken by regional organizations, such as the African Union, the International Conference on the Great Lakes Region, the Organization of American States and the Council of Europe, to address the protection, assistance and development needs of internally displaced persons and to find durable solutions for them, and encourages regional organizations to strengthen their activities and their cooperation with the Special Rapporteur;

10. *Also welcomes* the adoption and entry into force of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), which builds on the Protocol on the Protection of and Assistance to Internally Displaced Persons and the Protocol on the Property Rights of Returning Persons adopted by the International Conference on the Great Lakes Region and which marks a significant step towards strengthening the national and regional normative framework for the protection of and assistance to internally displaced persons in Africa, encourages African States to consider signing and/or ratifying the Convention, and encourages other regional mechanisms to consider the development of their own regional normative frameworks for the protection of internally displaced persons;

11. *Calls upon* Governments to prevent displacement and to take all measures necessary to protect and fulfil human rights, as well as to respect and ensure respect for international humanitarian law, in situations of armed conflict;

12. *Expresses particular concern* that many internally displaced children, particularly girls, lack access to education in all phases of displacement owing to attacks against schools, damaged or destroyed school buildings, insecurity, loss of documentation, language barriers and discrimination, and calls upon States, in cooperation with all other relevant actors, including humanitarian and development agencies and donors, to ensure the right to a quality education, including primary and secondary education, for internally displaced children, without discrimination of any kind, as well as to support existing schools to enable them to include internally displaced persons, and calls upon parties to armed conflict to respect the civilian character of schools and other educational institutions and to refrain from undertaking

actions that could adversely affect the protection of these buildings against direct attacks;

13. *Also expresses particular concern* about the full range of threats and human rights violations and abuses and violations of international humanitarian law experienced by many internally displaced persons, including women and children, who may be particularly vulnerable or specifically targeted, especially for sexual and gender-based violence and sexual exploitation and abuse, trafficking in persons, forced recruitment and abduction, encourages the continued commitment of the Special Rapporteur to promote action to address their particular assistance and protection needs, and calls upon States, in cooperation with international agencies and other stakeholders, to provide protection and assistance to victims and survivors, as well as those of other groups with special needs, such as severely traumatized individuals, older persons and persons with disabilities, taking into account all relevant resolutions of the General Assembly and the Security Council;

14. *Emphasizes* the importance of consultation with internally displaced persons and host communities by Governments and other relevant actors, in accordance with their specific mandates, during all phases of displacement, as well as the participation of internally displaced persons, where appropriate, in policies, programmes and activities pertaining to them, taking into account the primary responsibility of States for the protection of and assistance to internally displaced persons within their jurisdiction;

15. *Calls upon* States, in cooperation with international agencies and other stakeholders, particularly to provide for and support the full and meaningful participation of internally displaced women at all levels of decision-making processes and in all activities that have a direct impact on their lives and in all aspects of internal displacement, including the promotion and protection of human rights, the prevention of human rights violations and the design and implementation of durable solutions, peace processes, peacebuilding, transitional justice, post-conflict reconstruction and development;

16. *Notes* the importance of taking the human rights and the specific protection and assistance needs of internally displaced persons into consideration, when appropriate, in peace processes, and emphasizes that durable solutions for internally displaced persons, including through voluntary return, sustainable reintegration and rehabilitation processes and their active participation, as appropriate, in the peace process are necessary elements of effective peacebuilding;

17. *Welcomes* the role of the Peacebuilding Commission in this regard, and continues to urge the Commission to intensify its efforts, within its mandate, in cooperation with national and transitional Governments and in consultation with the relevant United Nations entities, to incorporate the rights and the specific needs of internally displaced persons, including their voluntary return in safety and with dignity, reintegration and rehabilitation, as well as related land and property issues, when advising on or proposing country-specific peacebuilding strategies for post-conflict situations in cases under consideration;

18. *Also welcomes* the fact that an increasing number of States, United Nations organizations and regional and non-governmental organizations are applying the Guiding Principles on Internal Displacement as a standard, and

encourages all relevant actors to make use of the Guiding Principles when dealing with situations of internal displacement;

19. *Further welcomes* the use of the Guiding Principles by the Special Rapporteur in his dialogue with Governments, intergovernmental and non-governmental organizations and other relevant actors, and requests him to continue his efforts to further the dissemination, promotion, application and integration into domestic laws and policies of the Guiding Principles and to provide support for efforts to promote capacity-building and the use of the Guiding Principles, as well as the development of domestic legislation and policies;

20. *Expresses its appreciation* that an increasing number of States have adopted domestic legislation and policies dealing with all stages of displacement, encourages States to continue to do so in an inclusive and non-discriminatory way, consistent with the Guiding Principles, including through the identification of a national focal point within the Government for issues of internal displacement and the allocation of budget resources, and encourages the international community and national actors to provide financial support and cooperation to Governments, upon request, in this regard;

21. *Urges* all Governments to continue to facilitate the activities of the Special Rapporteur, in particular Governments with situations of internal displacement, and to respond favourably to requests from the Special Rapporteur for visits to enable him to continue and enhance dialogue with Governments in addressing situations of internal displacement, and thanks those Governments that have already done so;

22. *Invites* Governments to give serious consideration, in dialogue with the Special Rapporteur, to the recommendations and suggestions addressed to them, in accordance with his mandate, and to inform him of measures taken thereon;

23. *Calls upon* Governments to provide protection and assistance, including reintegration and development assistance, to internally displaced persons and to facilitate the efforts of the relevant United Nations agencies and humanitarian organizations in these respects by further improving the access of humanitarian personnel and the delivery of supplies and equipment to internally displaced persons and by maintaining the civilian and humanitarian character of camps and settlements for internally displaced persons where they exist, as well as by taking the steps necessary to ensure the safety and security of humanitarian personnel so that they may efficiently perform their task of assisting internally displaced persons;

24. *Emphasizes* the central role of the Emergency Relief Coordinator for the coordination of, protection of and assistance to internally displaced persons, inter alia, through the inter-agency cluster system, welcomes continued initiatives taken in order to ensure better protection, assistance and development strategies for internally displaced persons, as well as better coordination of activities regarding them, and emphasizes the need to strengthen the capacities of the United Nations organizations and other relevant actors to meet the immense humanitarian challenges of internal displacement;

25. *Encourages* all relevant United Nations organizations and humanitarian assistance, human rights and development organizations to enhance their collaboration and coordination through the Inter-Agency Standing Committee and United Nations country teams in countries with situations of internal displacement

and to provide all possible assistance and support to the Special Rapporteur, and requests the continued participation of the Special Rapporteur in the work of the Inter-Agency Standing Committee and its subsidiary bodies;

26. *Encourages* Member States, humanitarian agencies, donors, development actors and other providers of development assistance to continue to work together, in close cooperation with the Special Rapporteur, to provide a more predictable response to the needs of internally displaced persons, including long-term development assistance for the implementation of durable solutions, takes note of the decision by the Policy Committee of the Secretary-General of 4 October 2011 endorsing the preliminary framework on ending displacement in the aftermath of conflict, notes the roll-out of the decision in select countries, and calls for United Nations agencies implementing the decision to cooperate closely with the Special Rapporteur in that regard and to use the Inter-Agency Standing Committee Framework on Durable Solutions for Internally Displaced Persons in a manner that complements the decision of the Policy Committee;

27. *Notes with appreciation* the increased attention paid to the issue of internally displaced persons in the humanitarian response plan process, and encourages further efforts in this regard;

28. *Also notes with appreciation* the increasing role of national human rights institutions in assisting internally displaced persons and in promoting and protecting their human rights;

29. *Recognizes* the need to collect reliable disaggregated data, including data disaggregated by sex, age and location, on internally displaced persons in order to improve policy, programming and response to internal displacement and, in this respect, the relevance of the inter-agency Joint Internally Displaced Person Profiling Service and the global database on internally displaced persons maintained by the Internal Displacement Monitoring Centre;

30. *Encourages* Governments, members of the Inter-Agency Standing Committee, United Nations humanitarian coordinators and country teams to ensure the provision of reliable data on internal displacement situations, collaborating with the Internal Displacement Monitoring Centre, requesting the support of the Joint Internally Displaced Person Profiling Service and providing financial resources, as appropriate in these respects;

31. *Takes note* of other high-level processes relevant to the response to internally displaced persons, welcomes in particular the adoption of the 2030 Agenda for Sustainable Development[16] and its express call to leave no one behind, and notes that forced displacement of people threatens to reverse much of the development progress made in recent decades and that internally displaced persons are vulnerable people whose needs are reflected in the 2030 Agenda;

32. *Welcomes* the call in the Sendai Framework for Disaster Risk Reduction 2015-2030[17] to integrate post-disaster reconstruction into the economic and social sustainable development of affected areas, as well as temporary settlements where the displaced live, to promote regular disaster preparedness, response and recovery exercises, with a view to ensuring rapid and effective response to disasters and

[16] Resolution 70/1.

[17] Resolution 69/283, annex II.

related displacement, and to promote transboundary cooperation to build resilience and reduce disaster risk, including displacement risk;

33. *Also welcomes* the initiative of the Secretary-General to hold the World Humanitarian Summit, and notes the importance of meeting the emergency and long-term needs of internally displaced persons in that context;

34. *Further welcomes* the initiative to hold the United Nations Conference on Housing and Sustainable Urban Development (Habitat III), and notes the importance of addressing the needs of internally displaced persons in urban settings;

35. *Requests* the Secretary-General to continue to provide the Special Rapporteur, from within existing resources, with all assistance necessary to carry out his mandate effectively, and encourages the Office of the United Nations High Commissioner for Human Rights, in close cooperation with the Emergency Relief Coordinator, the Office for the Coordination of Humanitarian Affairs of the Secretariat, the Office of the United Nations High Commissioner for Refugees and all other relevant United Nations offices and agencies, to continue to support the Special Rapporteur;

36. *Encourages* the Special Rapporteur to continue to seek the contributions of States, relevant organizations and institutions in order to create a more stable basis for his work;

37. *Requests* the Special Rapporteur to submit to the General Assembly at its seventy-first and seventy-second sessions a report on the implementation of the present resolution;

38. *Decides* to continue its consideration of the question of protection of and assistance to internally displaced persons at its seventy-second session.